

The Gazette of India

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No. 36] NEW DELHI, SATURDAY, SEPTEMBER 4, 1954

**NOTICE**

The undermentioned Gazettes of India Extraordinary were published upto the 28th August 1954:-

Issue No.	No. and date	Issued by	Subject
180	S.R.O. 2731, dated the 23rd August 1954.	Ministry of Finance (Revenue Division).	Exemption of previous stones from so much of customs duty leviable under the second Act, Sea Customs Act, 1878, in excess of 5 per cent <i>ad valorem</i> .
181	S.R.O. 2732, dated the 24th August 1954.	Ministry of Labour	Modification of the Decision of the All India Industrial Tribunal (Bank Disputes), Bombay.
182	S.R.O. 2733, dated the 24th August 1954.	Election Commission, India.	To fill the vacancy in the Council of States caused by the death of Shri Suresh Chandra Majumdar.
-	S.R.O. 2734, dated the 24th August 1954.	Ditto.	Appointment of dates for election to fill a vacancy in the Council of States.
	S.R.O. 2735, dated the 24th August 1954.	Ditto.	Appointment of Returning Officer for election to fill a vacancy in the Council of States.
	S.R.O. 2736, dated the 24th August 1954.	Ditto.	Appointment of a person to assist the Returning Officer for election to fill a vacancy in the Council of States.
183	S.R.O. 2737, dated the 31st July 1954.	Ditto.	Election Petition No. 1 of 1952.

Issue No.	No. and date	Issued by	Subject
184	S.R.O. 2738, dated the 24th August 1954.	Delimitation Commission, India.	Final Order No. 15, in respect of the distribution of seats to, and the delimitation of Parliamentary and Assembly constituencies in the State of Madhya Pradesh.
185	S.R.O. 2739, dated the 20th August 1954.	Election Commission, India.	Petition No. 9.
186	S.R.O. 2740, dated the 25th August 1954.	Ministry of Food and Agriculture.	The Central Government authorises Shri T. Prasad to exercise control for the purpose of production and supply of sugar over the Ram-Luxman Sugar Mills, Mohiuddinpur.
187	S.R.O. 2820, dated the 3rd August 1954.	Election Commission, India.	Election Petition No. 21 of 1953.
188	S.R.O. 2821, dated the 25th August 1954.	Ministry of Law	Fixation of the hours during which the poll shall be taken at the bye-election to the Council of States in the State of West Bengal on 11th September, 1954.
189	S.R.O. 2822, dated the 26th August 1954.	Ministry of Commerce and Industry.	Direction issued by the Textile Commissioner regarding production of certain types of cloth.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### PART II—Section 8

#### Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

##### ELECTION COMMISSION, INDIA

New Delhi, the 28th August 1954

**S.R.O. 2834.**—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the person whose name and address are given below, as notified under notification No. AD-CS/54(1)/BL, dated the 21st May 1954 have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri C. Gopala Krishnamurthy Reddy, Cattamanchi, Chittoor, Andhra.

[No. AD-CS/54(2)/BL.]

By Order,

P. N. SHINGHAL, Secy.

## MINISTRY OF HOME AFFAIRS

New Delhi, the 25th August 1954

**S.R.O. 2835.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with articles 313 and 372 thereof and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendment shall be made in the rules published with the notification of the Government of India in the late Home Department, No. F.9-19/30-Ests., dated the 27th February 1932, namely:

In the Schedule annexed to the said rules, under the heading "Ministry of Rehabilitation" and sub-heading "Office of the Chief Settlement Commissioner, New Delhi", and above the entries

"Class III and IV Posts	Regional Settlement Commissioner	Regional Settlement Commissioner	All Joint Secretary, Ministry of Rehabilitation
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the following sub-heading shall be inserted namely:—

"Offices of Regional Settlement Commissioners".

[No. 7/7/54-Ests.]

S. P. MAHNA, Under Secy.

## ORDER

New Delhi, the 28th August 1954

**S.R.O. 2836.**—In the exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby requires all persons specified by name in column (1) or by official designation in column (2) of the Schedule to this Order, to serve in connection with the affairs of the State of Andhra, as allotted officers or as transferred officers, as stated in the corresponding entries in column (3) of the said Schedule.

## SCHEDULE

Name	Official designation	Allotted Officer or transferred Officer
(1)	(2)	(3)

## POLICE AND FIRE SERVICES DEPARTMENT, MADRAS

## State Service Officers

1. Sri S. Ramachandra Rao . . . .	Officiating District Superintendent of Police.	Allotted.
2. Sri D. Srinivasulu Naidu . . . .	Do.	Do.
3. Sri N. Ramiah Pillai . . . .	Do.	Do.
4. Sri T. V. Alwar Naidu . . . .	Do.	Do.
5. Sri S. Balakrishna Nayudu . . . .	Do.	Do.
6. Sri K. Ramachandra Reddy . . . .	Do.	Do.
7. Sri G. Ranga Reddy . . . .	Do.	Do.
8. Sri M. Krishnamurthi . . . .	Do.	Do.
9. Sri V. Venkateswara Rao . . . .	Do.	Do.
10. Sri Syed Abdul Aziz . . . .	Officiating Deputy Superintendent of Police.	Do.
11. Sri P. Kameswara Rao . . . .	Do.	Do.
12. Sri Md. Khadir Basha . . . .	Do.	Do.
13. Sri M. L. Thomas . . . .	Do.	Do.
14. Sri G. P. Thirupam . . . .	Do.	Do.
15. Sri I. Ramakrishnayya . . . .	Do.	Do.
16. Sri P. Ranga Rao Nayudu . . . .	Do.	Do.
17. Sri W. Subba Rao . . . .	Do.	Do.

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18. Sri S. C. Padhi . . .	Deputy Superintendent of Police (Permanent).	Allotted
19. Sri C. Raghavendra Rao . . .	Do.	Do.
20. Sri M. E. Reddy . . .	Do.	Do.
21. Sri R. K. Munuswami . . .	Do.	Do.
22. Mr. C. Maxwell . . .	Do.	Do.
23. Sri K. Ramakrishna Chetty . . .	Do.	Do.
24. Sri I. Sobhanadri Nayudu . . .	Officiating Deputy Superintendent of Police.	Do.
25. Sri M. I. Deenadayalu Naidu . . .	Do.	Do.
26. Sri K. V. Srinivasa Rao . . .	Deputy Superintendent of Police (Permanent).	Do.
27. Sri V. Krishnaswami Chetty . . .	Deputy Superintendent of Police (Officiating).	Do.
28. Sri P. Narayana Rao . . .	Do.	Do.
29. Sri M. Venkataramana Reddy . . .	Deputy Superintendent of Police (Permanent).	Do.
30. Sri S. Sathyanarayananurthi . . .	Officiating Deputy Superintendent of Police.	Do.
31. Sri D. Venkateswarlu . . .	Do.	Do.
32. Sri M. V. Venkatappa Nayudu . . .	Do.	Do.
33. Sri D. Vijayarangam . . .	Do.	Do.
34. Sri D. Ramaswamy . . .	Do.	Do.
35. Sri M. Nagabhooshanam . . .	Do.	Do.
36. Sri M. Ranga Reddi . . .	Do.	Do.
37. Sri M. V. Rama Rao . . .	Do.	Do.
38. Sri D. Subba Rao . . .	Do.	Do.
39. Sri P. N. Ramachandra Reddy . . .	Do.	Do.
40. Sri S. V. Sreenivasulu Naidu . . .	Do.	Do.
41. Sri P. Gopal Reddi . . .	Do.	Do.
42. Sri A. Ranga Reddi . . .	Do.	Do.
43. Sri A. Obul Reddi . . .	Do.	Do.
44. Sri T. B. Srinivasa Rao . . .	Do.	Do.
45. Sri Y. Satyanarayana . . .	Do.	Do.
46. Mr. F. R. Triance . . .	Officiating Deputy Superintendent of Police (Category II)	Do.
47. Mr. L. Oakey . . .	Do.	Do.
48. Sri C. R. Reddi . . .	Commandant, Special Armed Police.	Do.
49. Sri S. Ranganathan . . .	Do.	Do.
50. Sri G. R. Rajendar . . .	Do.	Do.
51. Sri B. Nagi Reddi . . .	Assistant Commandant, Special Armed Police.	Do.
52. Sri P. Lakshmanan . . .	Do.	Do.
53. Sri P. Chenchal Rao Naidu . . .	Do.	Do.
54. Sri K. Ramachandra Reddi . . .	Do.	Do.
55. Sri P. Satyanarayana Reddi . . .	Do.	Do.
56. Sri A. K. Chintan Nambiar . . .	Do.	Do.
57. Sri N. Govindaraj . . .	Asstt. Commandant, Malabar Special Police.	Do.
58. Sri D. Appa Rao . . .	Technical Assistant to Police Radio Officer, Madras.	Do.
59. Sri O. Bhaskara Reddi . . .	Probationary Deputy Superintendent of Police under training in the Police Training College.	Do.

*Non-gazetted Officers*

Visakhapatnam North :

1. Sri J. Narayananurthi . . .	Inspector of Police (on leave)	Do.
2. Sri B. N. Varma . . .	Inspector of Police	Do.

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3. Sri R. Seshagiri Rao . . .	Sub Inspector of Police and Officiating Inspector of Police.	Allotted
4. Sri M. Varahalraju . . .	Sub Inspector of Police and Officiating Inspector of Police.	Do.
5. Sri S. Venugopal Patnaik . . .	Inspector of Police on leave .	Do.
6. Sri G. S. Gantayat . . .	Sub Inspector of Police and Officiating Inspector of Police.	Do.
7. Sri A. Simhachalam . . .	Sub Inspector of Police and Officiating Inspector of Police.	Do.
8. Sri M. A. Azeem . . .	Inspector of Police .	Do.
9. Sri F. G. Tullet . . .	Sergeant Major on leave preparatory to retirement.	Do.
10. Sri J. A. Baker . . .	Sergeant and Officiating Sergeant Major.	Do.
11. Sri T. Pravarakhya Rao . . .	Sergeant . . . . .	Do.
12. Sri Md. Ghose . . .	Do. . . . .	Do.
13. Sri K. Satyanarayana . . .	Do. . . . .	Do.
14. Sri B. Lakshmikantham . . .	Do. . . . .	Do.
15. Sri P. Suryanarayananurthi . . .	Do. . . . .	Do.
16. Sri T. Krishna Prasad . . .	Do. . . . .	Do.

*Ministerial Staff*

17. Sri R. Venkataraju . . .	Superintendent, District Police Office, Vizianagaram.	Do.
18. Sri C. Ramayya Chowdri . . .	Accountant, District Police Office, Vizianagaram.	Do.
19. Sri V. Venkatachari . . .	Accountant, District Police Office, Vizianagaram.	Do.

*Visakhapatnam South.*

20. Sri C. G. Wilcock . . .	Sergeant Major . . . . .	Do.
21. Sri U. Simbhechalam . . .	Sergeant . . . . .	Do.
22. Sri Y. Veeraswamy . . .	Do. . . . .	Do.
23. Sri K. Solapuri . . .	Do. . . . .	Do.
24. Sri M. L. Narasimha Rao . . .	Do. . . . .	Do.
25. Sri W. Krishnamurthy . . .	Do. . . . .	Do.
26. Sri M. Naganna . . .	Do. . . . .	Do.
27. Sri K. S. Rama Rao . . .	Inspector . . . . .	Do
28. Sri B. H. Sreenivasa Rao . . .	Do. . . . .	Do.
29. Sri N. S. Pathy . . .	Do. . . . .	Do.
30. Sri K. Kesava Rao . . .	Do. . . . .	Do.
31. Sri D. Suryanarayana . . .	Do. . . . .	Do.
32. Sri Trinath Patro . . .	Do. . . . .	Do.
33. Sri D. V. S. N. Gajapathi Raju . . .	Do. . . . .	Do.

*Ministerial Staff*

34. Sri T. Subbaramayya . . .	Office Superintendent . . . . .	Do.
35. Sri D. Subba Rao . . .	Accountant . . . . .	Do.
36. Sri Y. R. Viswanadham . . .	Do. . . . .	Do.

*West Godavari District.*

37. Mr. W. Powell . . .	Sergeant Major_Armed Reserve . . . . .	Do.
38. Sri G. Mathews . . .	Inspector . . . . .	Do.
39. Md. Amirulla Beig . . .	Do. . . . .	Do.
40. Sri B. Veeraswamy . . .	Do. . . . .	Do.
41. Sheikh Masthan . . .	Do. . . . .	Do.
42. Mohd. Sahib . . .	Do. . . . .	Do.
43. Sri M. Appalaswami . . .	Do. . . . .	Do.
44. Sri C. V. Raghava Rao . . .	Do. . . . .	Do.
45. Sri K. Parankusa Rao . . .	Sergeant . . . . .	Do.
45. Sri M. Appalaraju . . .	Do. . . . .	Do.
47. Sri T. V. Subba Rao . . .	Do. . . . .	Do.

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48. Sri G. Madhavaiah	Sergeant	Allotted.
49. Shaik Nannu	Do.	Do.
50. Sheik Ali	Do.	Do.

*Ministerial Staff.*

51.	1 Office Superintendent 2 Accountants and 1 Officiating Accountant of the District Police Office, West Godavari.	Do.
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*Bellary District*

52. Sri S. A. Sattar	Inspector of Police	Do.
53. Sri P. C. Narayana Reddy	Do.	Do.
54. Sri K. Appalaswamy	Do.	Do.
55. Sri S. Subba Rao	Sergeant Major	Do.
56. Sri K. Ramakrishna Reddy	Sergeant	Do.
57. Sri M. Lakshminarayana Reddy	Do.	Do.

*Ministerial Staff*

58. Sri V. Ramanujacharlu	Office Superintendent	Do.
59. Sri M. Nagabhushanam	Accountant	Do.
60. Sri S. A. Rasool	Do.	Do.
61. Sri A. V. Ekambaram Mudaliar	Do.	Do.

*Ananthapur*

62. Mr. C. F. Smith	Sergeant Major	Do.
63. Sri K. G. Sreenivasa Rao	Sergeant	Do.
64. Sri N. Thimmappa	Do.	Do.
65. Sri. C. P. Zackrayya	Do.	Do.
66. Sri P. Balakrishna Pillai	Do.	Do.
67. Sri C. H. Venkateswara Rao	Do.	Do.
68. Sri B. G. Paul	Do.	Do.
69. Sri K. L. Ganapathi	Do.	Do.
70. Sri B. N. Narayanaswami Naidu	Inspector of Police	Do.
71. Sri M. Nainupalappa	Do.	Do.
72. Sheik Kamal Ahamed	Do.	Do.
73. H. A. Sathar	Do.	Do.
74. Abdul Khuddus	Do.	Do.
75. P. Lakshminarasimham	Do.	Do.
76. Sri S. B. Krishnamachari	Do.	Do.
77. Syed Ahamad Hussain	Do.	Do.
78. Sri A. Varadarej	Do.	Do.

*Cuddapah.*

79. Sri H. Marasden	Sergeant Major	Do.
80. Sri K. Chinnappa	Sergeant	Do.
81. Sri M. Rangaswamy	Do.	Do.
82. Sri M. Suryaprakasraao	Do.	Do.
83. Sri K. C. John	Do.	Do.
84. Sri Shaik Mohideen	Do.	Do.
85. Sri C. V. M. Krishna Rao	Do.	Do.
86. Sri I. S. Subba Rao	Inspector of Police	Do.
87. Sri C. F. Lobo	Do.	Do.
88. Sri A. Md. Jabbaruddin	Do.	Do.
89. Sri T. A. Gani	Do.	Do.
90. Sri J. A. Sathar	Do.	Do.
91. Sri C. Ch. Chennakrishnaiah	Do.	Do.
92. Sri M. Subramanyam	Do.	Do.
93. Sri K. Ranganayakulu	Do.	Do.
94. Sri K. Yellalah	Do.	Do.
95. Sri M. Ranganayakulu	Do.	Do.

*Ministerial Staff.*

96. Sri. J. Venkata Rao . . . . .	Office Superintendent . . . . .	Allotted
97. Sri. H. Srinivasarao . . . . .	Accountant . . . . .	Do.
98. Sri. D. Rajagopalrao . . . . .	Do. . . . .	Do.
99. Sri. A. S. Raghavan . . . . .	Do. . . . .	Do.
100. Sri. D. Vasudeva Rao . . . . .	Do. . . . .	Do.

Chittoor District.

*Non-gazetted Officers.*

101. Sri Venkata Reddy N. . . . .	Inspector of Police . . . . .	Do.
102. Sri. C. K. Venkatakrishnamma Naidu . . . . .	Do. . . . .	Do.
103. Sri. T. D. Ambaji Rao . . . . .	Do. . . . .	Do.
104. Sri. T. Gopal Rao . . . . .	Do. . . . .	Do.
105. Sri. T. Krishna Reddy . . . . .	Officiating Inspector of Police . . . . .	Do.
106. Sri. G. Suryanarayana . . . . .	Do. . . . .	Do.
107. Sri. H. Hajeeamiah . . . . .	Do. . . . .	Do.
108. Sri. A. Munuswamy Reddy . . . . .	Do. . . . .	Do.
109. Sri. D. Vasudeva Rao . . . . .	Do. . . . .	Do.
110. Sri M. Munuswamy Naidu . . . . .	Do. . . . .	Do.
110. (a) Sri Ch. Bhadrayya . . . . .	Do. . . . .	Do.
111. Sri D. Nagadastagir Reddy . . . . .	Sergeant Major . . . . .	Do.
112. Sri A. Subramanyam . . . . .	Sergeant . . . . .	do.
113. Sri K. Subba Rao . . . . .	do. . . . .	do.
114. Sri A. S. N. Narasa Rao . . . . .	do. . . . .	do.
115. Sri R. Jayaraman Raju . . . . .	do. . . . .	do.
116. Sri T. Tippa Reedy . . . . .	do. . . . .	do.
117. Sri D. Venkatalakshmin . . . . .	do. . . . .	do.
118. Sri K. Venkatasubba Reddy . . . . .	do. . . . .	do.

*Ministerial Staff.*

119. Sri V. Subbarayalu . . . . .	Office Superintendent . . . . .	do.
120. Sri K. C. Ramappa . . . . .	Offg. Office Superintendent . . . . .	do.
121. Sri P. Rangaswamy Naidu . . . . .	Accountant . . . . .	do.
122. Sri N. Sathyanaarayana . . . . .	do . . . . .	do.

North Arcot District.

*Non-Gazetted Officers*

123. Sri G. Audiseshayya . . . . .	Accountant . . . . .	do.
124. Sri G. Ranga Rao . . . . .	do. . . . .	do.

Tiruchirappalli District :

*Non-Gazetted Officers*

125. Sri A. Parthasarathy Ayyangar . . . . .	Office Superintendent District Police Office, Tiruchirappalli.	do.
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Police Training College, Vellore :

126. Sri P. Surya Rao . . . . .	Assistant Law Instructor (Officiating Inspector), Police Training College, Vellore.	do.
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*Ministerial staff.*

127. Sri C. Dhruva Rao . . . . .	Head Clerk (Officiating Accountant), Police Training College, Vellore.	do.
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## Police Recruits School, Vizianagaram :

*Non-Gazetted Officers*

128. Sri S. Venkataramayya . . . . .	Sergeant Major . . . . .	Allotted
129. Sri R. Suryanareyana . . . . .	Inspector (Chief Law Instructor) . . . . .	do.
130. Sri Abdul Salam . . . . .	Sergeant . . . . .	do.

## Special Armed Police Andhra Battalion Red Hills :

*Non-Gazetted Officers*

131. . . . .	12 Subedars Major and Subedars, 32 Jamadars, 8 Havildars-Major, 41 Havildars, 94 Naiks, 96 Lance Naiks, 985 Police Constables and 32 followers. . . . .	do.
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132. Sri D. Karnalakannan . . . . .	Radio Supervisor . . . . .	Transferred
Sri P. Mohandoss Devendranath . . . . .	Radio Electrician . . . . .	Allotted.

*Ministerial Staff*

133. Sri S. K. Seshadri Ayyangar . . . . .	Office Superintendent . . . . .	Transferred
134. Sri P. S. Ramakrishna Raju . . . . .	Accountant . . . . .	do.
135. Sri R. Subramanya Iyer . . . . .	Do. . . . .	do.
136. Sri S. Krishnaswami . . . . .	Upper Division Clerk . . . . .	do.
137. Sri A. Vedavinayagam . . . . .	do. . . . .	do.
138. Sri A. Ayyananan . . . . .	do. . . . .	do.
139. Sri K. S. Venkataraman . . . . .	Lower Division Clerk . . . . .	do.
140. Sri P. Subramania Pillai . . . . .	do. . . . .	do.
141. Sri K. Madhavan . . . . .	do. . . . .	do.
142. Sri S. Venkatanarayanan . . . . .	do. . . . .	do.
143. Sri S. Rameswamy . . . . .	do. . . . .	do.
144. Sri S. Narayana Pillai . . . . .	do. . . . .	do.
145. Sri M. Malai . . . . .	do. . . . .	do.
146. Sri V. Ambalavanam . . . . .	do. . . . .	do.
147. Sri R. Maniakar . . . . .	do. . . . .	do.
148. Sri M. Karuppiah Thevar . . . . .	do. . . . .	do.
149. Sri M. Kuppuswamy . . . . .	do. . . . .	do.
150. Sri A. Govindaswamy . . . . .	do. . . . .	do.
151. Sri S. Pakiam . . . . .	do. . . . .	do.
152. Sri M. S. Edward . . . . .	do. . . . .	do.
153. Sri K. Rangan . . . . .	do. . . . .	do.
154. Sri T. R. Venkataraman . . . . .	Typist . . . . .	do.
155. Sri D. Somasundaram . . . . .	do. . . . .	do.
156. Sri S. Jawaharlal . . . . .	do. . . . .	do.
157. Sri C. Manasoosai . . . . .	Attender . . . . .	do.

## Police Recruits School Anantapur :

158. Sri B. V. D. Prasada Rao . . . . .	Sergeant Major . . . . .	Allotted
159. Sri Sheik Ibrahim . . . . .	Inspector . . . . .	do.

## Madras City :

*Ministerial staff*

160. Sri P. Purushotham Naidu . . . . .	Officiating Head Clerk . . . . .	do.
161. Sri R. Jayarajachar . . . . .	Officiating Upper Division Clerk . . . . .	do.

## Police Radio Office, Madras :

*Non-Gazetted Officers*

162. Sri M. Subramaniam . . . . .	Radio Supervisor . . . . .	do.
163. Sri Moses, H.C. 120 . . . . .	Head Constable . . . . .	do.
164. Sri C. L. N. Sastri . . . . .	Radio Supervisor . . . . .	do.
165. Sri H. Krishnamurthi . . . . .	Radio Electrician . . . . .	do.

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166. Sri J. Satyanarayana . . . . .	Radio Electrician . . . . .	Allotted
167. Sri M. K. Vijaraghavan . . . . .	Radio Supervisor . . . . .	Transferred.
168. Sri D. Russel . . . . .	Radio Supervisor . . . . .	do.
169. Sri T. Balakrishna Nayar . . . . .	Radio Electrician . . . . .	do.
170. Sri V. G. Asoken . . . . .	Radio Electrician . . . . .	do.
170 (a)	2 Radio Sub-Inspectors . . . . .	Allotted.
	15 Head Constables and . . . . .	
	79 Constables. . . . .	

**Special Branch C.I.D. Madras :**

*Non-Gazetted Officers*

171. Sri Y. Prabhakara Reddy . . . . .	Inspector of Police . . . . .	Allotted..
172. Sri P. Sundararama Reddy . . . . .	do. . . . .	do.
173. Sri P. S. R. Swamy . . . . .	do. . . . .	do.
174. Sri Ch. Mallikarjuna Rao . . . . .	do. . . . .	do.
175. Sri M. Sathyanaerayana . . . . .	do. . . . .	do.

*Ministerial Staff*

176. Sri G. Subramaniam . . . . .	Special Branch Clerk . . . . .	do
177. Sri S. Nagaboopshanam . . . . .	do. . . . .	do.
178. Sri C. Kasinatha Sastry . . . . .	do. . . . .	do.
179. Sri A. Visweswara Rao . . . . .	do. . . . .	do.
180. Sri B. Ch. Mallikarjuna Rao . . . . .	do. . . . .	do.
181. Sri P. V. Chalapathy Rao . . . . .	do. . . . .	do.
182. Sri A. R. Manoharan . . . . .	do. . . . .	do.
183. Sri K. Satyanarayana . . . . .	do. . . . .	do.
184. Sri D. F. Taylor . . . . .	do. . . . .	Transferred..
185. Sri T. Natesan . . . . .	do. . . . .	do.
186. Sri K. Venkataswamy . . . . .	do. . . . .	do.
187. Sri C. V. Kunhikannan . . . . .	do. . . . .	do.
188. Sri R. J. Daly . . . . .	Manager, Special Branch . . . . .	do.

**Crime Branch, C.I.D. Madras :**

*Non-Gazetted Officers*

189. Sri S. Balasubramaniam . . . . .	Inspector of Police . . . . .	Allotted..
190. Sri G. Krishnamurthy . . . . .	do. . . . .	do.
191. Sri P. Siva Rao . . . . .	do. . . . .	do.
192. Sri K. S. Badra Rao . . . . .	do. . . . .	do.
193. Sri C. Krishna Singh . . . . .	do. . . . .	do.
194. Sri C. Venkatadri . . . . .	do. . . . .	do.
195. Sri M. Subramaniam . . . . .	do. . . . .	do.
196. Sri N. Ramachandran . . . . .	do. . . . .	do.

*Ministerial Staff*

197. Sri B. Subba Rao . . . . .	Upper Division Clerk . . . . .	do.
198. Sri N. Narasimha Rao . . . . .	Lower Division Clerk . . . . .	do.

**X Branch C.I.D. Madras :**

199. Sri C. Durga Rao . . . . .	Inspector of Police . . . . .	do.
200. Sri R. Srinivasulu . . . . .	do. . . . .	do.
201. Sri K. Sriramulu . . . . .	do. . . . .	do.
202. Sri T. Satyanarayana . . . . .	do. . . . .	do.

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Office of the Inspector General of Police, Madras :

*Ministerial Staff*

203.	Sri S. M. Brushabendraswamy . . . . .	Officiating Junior Superintendent	Allotted.
204.	Sri A. K. Audikrishnamurthy . . . . .	do. . . . .	do.
205.	Sri T. N. Ramamurthy . . . . .	Upper Division Clerk . . . . .	do.
206.	Sri G. Devadecan . . . . .	do. . . . .	do.
207.	Sri U. V. Ramanujachary . . . . .	do. . . . .	do.
208.	Sri M. V. Radhakrishnan . . . . .	do. . . . .	do.
209.	Sri H. Narayna Rao . . . . .	do. . . . .	do.
210.	Sri P. R. Thiruvengadam . . . . .	do. . . . .	do.
210(a).	Sri K. V. Vedanthachari . . . . .	do. . . . .	do.
211.	Sri T. Ramarathna Prasad . . . . .	Officiating Upper Division Clerk	do.
212.	Sri K. Ramabhadra Rao . . . . .	do. . . . .	do.
213.	Sri K. E. Sampathrangan . . . . .	do. . . . .	do.
214.	Sri T. S. Balasubramaniam . . . . .	do. . . . .	do.
215.	Sri B. Venkat Rao . . . . .	do. . . . .	do.
216.	Sri M. Rajagopal . . . . .	do. . . . .	do.
217.	Sri V. Narayanaswamy . . . . .	do. . . . .	do.
218.	Sri M. Sriranganayakulu . . . . .	do. . . . .	do.
219.	Sri B. Padmanabhan . . . . .	do. . . . .	do.
220.	Sri K. Ramachandran . . . . .	do. . . . .	do.
221.	Sri B. Sanjeeviah . . . . .	Lower Division Clerk Officiating Upper Division Clerk	do.
222.	Sri P. V. Subbiah . . . . .	do. . . . .	do.
223.	Sri D. Balasundaram . . . . .	do. . . . .	do.
224.	Sri K. Narayanan . . . . .	do. . . . .	do.
225.	Sri V. R. Yegneswara Rao . . . . .	do. . . . .	do.
226.	Sri K. Srinivasalu . . . . .	do. . . . .	do.
227.	Sri G. R. Phillips . . . . .	Officiating Lower Division Clerk	do.
228.	Sri A. Ebenezer . . . . .	do. . . . .	do.
229.	Sri P. J. Subhamani . . . . .	do. . . . .	do.
230.	Sri D. Rajagopalan . . . . .	do. . . . .	do.
231.	Sri M. Rama Rao . . . . .	do. . . . .	do.
232.	Sri E. Subramaniam . . . . .	do. . . . .	do.
233.	Sri A. Chinna Rao . . . . .	do. . . . .	do.
234.	Sri N. Raja Rao . . . . .	do. . . . .	do.
235.	Sri S. Nageswara Sastry . . . . .	do. . . . .	do.
236.	Sri K. George Garhardt . . . . .	do. . . . .	do.
237.	Sri K. Gopala Reddy . . . . .	do. . . . .	do.
238.	Sri V. S. Radhakrishnan . . . . .	do. . . . .	do.
239.	Sri D. Narayappa . . . . .	do. . . . .	do.
240.	Sri B. Gurappa . . . . .	do. . . . .	do.
241.	Sri S. Balasubramaniam . . . . .	do. . . . .	do.
242.	Sri R. S. Prakasa Rao . . . . .	do. . . . .	do.
		Permanent Upper Division Clerk on other duty as Sub Inspector of Police, Visakhapatnam North District.	

Special Armed Police Battalion, Visakhapatnam

*Non-Gazetted Officers*

243.	12 Subedars-Major & Subedars & 31 Jamadars . . . . .	do.
Sri S. V. Narasinga Rao . . . . .	Radio Supervisor . . . . .	do.
Sri N. Venkateswaran . . . . .	Radio Electrician . . . . .	Transferred.
Sri S. N. Rangaswami . . . . .	Radio Electrician . . . . .	do.

*Ministerial Staff*

244.	I Office Superintendent and 2 Accountants.	Allotted.
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## East Godavari District :

*Non-Gazetted Officers*

					Allotted.
245.	Sri T. Govindarajulu	.	.	Officiating Inspector of Police	
246.	Sri G. Narasimha Rao	.	.	Do.	Do.
247.	Sri Sundara Siva Rao	.	.	Inspector of Police	Do.
248.	Sri Y. S. Rajarao	.	.	Officiating Inspector of Police	Do.
249.	Sri J. Satyanarayana	.	.	Inspector of Police	Do.
250.	Sri I. V. Raghava Rao	.	.	Do.	Do.
251.	Sri S. A. Gaffar	.	.	Inspector of Police	Do.
252.	Sri Ch. Appa Rao	.	.	Do.	Do.
253.	Sri K. Bhimasankara Rao	.	.	Do.	Do.
254.	Sri K. Bansilal Sirkar	.	.	Officiating Inspector of Police	Do.
255.	Sri K. Ramakrishna Rao	.	.	Inspector of Police	Do.
256.	Sri S. Sadananda Sahu	.	.	Do.	Do.
257.	Sri I. V. Subba Rao	.	.	Officiating Sergeant-Major	Do.
258.	Sri G. J. Nicodemus	.	.	Sergeant-Major	Do.
259.	Sri C. C. Paul	.	.	Sergeant	Do.
260.	Sri T. Koteshwara Rao	.	.	Do.	Do.
261.	Sri B. Lakshmana Rao	.	.	Do.	Do.
262.	Sri M. Neelakantam	.	.	Do.	Do.
263.	Sri K. Babu Rao	.	.	Do.	Do.
264.	Sri Rahim Balg	.	.	Do.	Do.
265.	Sri Y. Ramachandra Reddi	.	.	Do.	Do.
266.	Sri Abdul Sukkur	.	.	Do.	Do.
267.	Sri P. Butchilingam	.	.	Office Superintendent	Do.
268.	Sri S. K. Sreemanthu	.	.	Accountant	Do.
269.	Sri P. Marthandam	.	.	Do.	Do.
270.	Sri P. Apparao	.	.	Do.	Do.

## Guntur District

271.	Sri C. Devadanam	.	.	Inspector of Police	
272.	Sri Shaw Ali Hussain	.	.	Do.	Do.
273.	Sri K. B. S. Prasad	.	.	Do.	Do.
274.	Sri Fakir Ahmed	.	.	Do.	Do.
275.	Sri M. Lakshmaiah	.	.	Do.	Do.
276.	Sri R. N. Patnaik	.	.	Do.	Do.
277.	Sri P. Srihari Rao	.	.	Do.	Do.
278.	Sri M. Venkata Rao	.	.	Do.	Do.
279.	Sri M. A. Latheef	.	.	Do.	Do.
280.	Sri I. Gowthama Rao	.	.	Do.	Do.
281.	Sri T. C. Nicodemus	.	.	Do.	Do.
282.	Sri G. Srimantu	.	.	Do.	Do.
283.	Sri K. E. Samuel	.	.	Do.	Do.
284.	Sri V. Krishnamurtu	.	.	Do.	Do.
285.	Sri B. Yanadi Naidu	.	.	Do.	Do.
286.	Sri M. Abdul Khader	.	.	Do.	Do.
287.	Sri M. R. Kuppuswamy	.	.	Sergeant	
288.	Sri W. G. Thompson	.	.	Sergeant-Major	
289.	Sri O. V. Rama Reddi	.	.	Do.	Do.
290.	Sri Akbar Khan	.	.	Sergeant	
291.	Sri Mohd. Ismail	.	.	Do.	Do.
292.	Sri D. Dasaradharanam	.	.	Do.	Do.
293.	Sri Abdul Rahiman	.	.	Do.	Do.
294.	Sri A. Ismail	.	.	Do.	Do.
295.	Sri M. V. Ramakrishnarao	.	.	Do.	Do.
296.	Sri Varma	.	.	Do.	Do.
297.	Sri K. James	.	.	Do.	Do.
298.	Sri V. Sanjeevarao	.	.	Do.	Do.

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*Ministerial Staff*

299. Sri A. S. Narayana . . . . .	Office Superintendent . . . . .	Allotted.
300. Sri G. Ramachandrarao . . . . .	Accountant . . . . .	Do.
301. Sri G. Yegnanarayana . . . . .	Do. . . . .	Do.
302. Sri A. V. Jagannadhachari . . . . .	Do. . . . .	Do.

*Krishna District**Non-Gazetted Officer*

303. Sri Md. Badiuddin . . . . .	Inspector of Police . . . . .	Do.
304. Sri G. Anugraham . . . . .	Do. . . . .	Do.
305. Sri B. Subbaiah . . . . .	Do. . . . .	Do.
306. Sri Y. Suraiah Choudary . . . . .	Do. . . . .	Do.
307. Sri V. D. Koteswara Rao . . . . .	Do. . . . .	Do.
308. Sri B. Revati Rao . . . . .	Do. . . . .	Do.
309. Sri V. B. C. Subba Raju . . . . .	Do. . . . .	Do.
310. Sri Abdul Nabi . . . . .	Do. . . . .	Do.
311. Sri P. Rayanna . . . . .	Do. . . . .	Do.
312. Sri R. W. Pearse . . . . .	Sergeant-Major . . . . .	Do.
313. Sri T. Ramachandra Rao . . . . .	Do. . . . .	Do.
314. Sri K. Seshagiri . . . . .	Do. . . . .	Do.
314.(a) Sri Abdul Sammad . . . . .	Sergeant . . . . .	Do.
315. Sri Abdul Azeez . . . . .	Do. . . . .	Do.
315.(a) Sri Abdul Khader . . . . .	Do. . . . .	Do.
316. Sri H. Biggs . . . . .	Do. . . . .	Do.
317. Sri P. R. Kaju . . . . .	Do. . . . .	Do.
318. Sri K. S. N. Moorthy . . . . .	Do. . . . .	Do.
319. Sri Subhan Beig . . . . .	Do. . . . .	Do.
320. Sri M. Somanadhan . . . . .	Do. . . . .	Do.
321. Sri Y. Krishnajah . . . . .	Do. . . . .	Do.
322. Sri Md. Khasim . . . . .	Do. . . . .	Do.
323. Sri M. Apparao . . . . .	Do. . . . .	Do.
324. Sri S. S. N. Murthy . . . . .	Office Superintendent . . . . .	Do.
324.(a) Sri D. Brahmanandam . . . . .	Do. . . . .	Do.
325. Sri V. Saryasaiah . . . . .	Accountant . . . . .	Do.
325.(a) Sri K. Ramalingam . . . . .	Do. . . . .	Do.
326. Sri P. Subrahmanyam . . . . .	Do. . . . .	Do.

*Nellore District*

327. Sri A. Venkateswara Rao . . . . .	Inspector of Police . . . . .	Do.
328. Sri K. Chandramouli . . . . .	Do. . . . .	Do.
329. Sri S. Madhava Rao . . . . .	Do. . . . .	Do.
330. Sri C. Venkaiah Naidu . . . . .	Do. . . . .	Do.
331. Sri K. Venkataramana . . . . .	Do. . . . .	Do.
332. Sri G. Simon Peter . . . . .	Do. . . . .	Do.
333. Sri V. Someswara Rao . . . . .	Do. . . . .	Do.
334. Sri V. Appa Rao . . . . .	Do. . . . .	Do.
335. Sri Syed Ahmed . . . . .	Do. . . . .	Do.
336. Sri V. S. Ramachandramurthy . . . . .	Do. . . . .	Do.
337. Sri A. V. Sikhamani . . . . .	Do. . . . .	Do.
338. Sri Mohammad Ibrahim Sahib . . . . .	Do. . . . .	Do.
339. Sri W. J. McCarthy . . . . .	Sergeant-Major . . . . .	Do.
340. Sri M. Hanuman Singh . . . . .	Sergeant . . . . .	Do.
341. Sri G. V. Ramam . . . . .	Do. . . . .	Do.
342. Sri D. Jayaram . . . . .	Do. . . . .	Do.
343. Sri T. John . . . . .	Do. . . . .	Do.
344. Sri M. Musalaiah . . . . .	Do. . . . .	Do.
345. Sri K. Satyanarayananmurthy . . . . .	Do. . . . .	Do.

*Ministerial Staff*

346. Sri M. Subramanyam . . . . .	Office Superintendent . . . . .	Do.
347. Sri N. V. Ramana Rao . . . . .	Accountant . . . . .	Do.
348. Sri N. Narayana Rao . . . . .	Do. . . . .	Do.
349. Sri T. Kotiah . . . . .	Do. . . . .	Do.

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### Kurnool District

#### *Non-Gazetted Officers*

350.	Sri P. Venganna . . . . .	Inspector of Police . . . . .	Allotted.
351.	Sri P. Lakshman Singh . . . . .	Do. . . . .	Do.
352.	Sri J. R. Vasanthappa . . . . .	Do. . . . .	Do.
353.	Sri K. Seetharamiah . . . . .	Do. . . . .	Do.
354.	Sri Syed Hussain . . . . .	Do. . . . .	Do.
355.	Sri M. Sirajuddin . . . . .	Do. . . . .	Do.
356.	Sri V. R. Amanathaiah . . . . .	Do. . . . .	Do.
357.	Sri K. Mahanandaiah . . . . .	Do. . . . .	Do.
358.	Sri T. Madhava Rao . . . . .	Do. . . . .	Do.
359.	Sri L. Bali Reddy . . . . .	Sergeant . . . . .	Do.
360.	Sri P. Sudhakara Rao . . . . .	Do. . . . .	Do.
361.	Sri K. Ramachandra Rao . . . . .	Do. . . . .	Do.
362.	Sri S. Abdul Khader . . . . .	Do. . . . .	Do.
363.	Sri G. A. R. Chowdry . . . . .	Do. . . . .	Do.
364.	Sri P. Cussack . . . . .	Sergeant Major . . . . .	Do.

#### *Ministerial Staff*

365.	Sri Sheik Mohideen . . . . .	Office Superintendent . . . . .	Do.
366.	Sri S. Naganna . . . . .	Accountant . . . . .	Do.

#### Deputy Inspector-General's Office

#### Northern Range

#### *Ministerial Staff*

367.	Sri M. Seetharamarao . . . . .	Accountant . . . . .	Do.
368.	Sri S. Sambasivarao . . . . .	Do. . . . .	Do.

#### Madras Railway Police District

369.	Sri G. Kuppuswami Naidu . . . . .	Inspector of Police . . . . .	Do.
370.	Sri P. Sarangadhara Rao . . . . .	Do. . . . .	Do.
371.	Sri C. Chalapathi Rao . . . . .	Do. . . . .	Do.
372.	Sri V. Ramakota Reddy . . . . .	Do. . . . .	Do.
373.	Sri Chandrasekhar Rao . . . . .	Sergeant . . . . .	Do.
374.	Sri A. Ramamurthy . . . . .	Office Superintendent . . . . .	Do.
375.	Sri V. Mallikarjuna Rao . . . . .	Accountant . . . . .	Do.
376.	Sri P. Venkaiah . . . . .	Do. . . . .	Do.
377.	Sri B. Koteshwara Rao . . . . .	Upper Division Clerk . . . . .	Do.
378.	Sri T. Ranganathaswamy . . . . .	Lower Division Clerk . . . . .	Do.
379.	Sri Ch. Balakrishna Doss . . . . .	Do. . . . .	Do.
380.	Sri P. Sivaramakrishnan . . . . .	Upper Division Clerk . . . . .	Transferred.
381.	Sri G. Samuel . . . . .	Lower Division Clerk . . . . .	Do.
382.	Sri K. Sivasankaran . . . . .	Do. . . . .	Do.
383.	Sri B. Chakravarthi . . . . .	Do. . . . .	Do.
384.	Sri S. Rajendran . . . . .	Do. . . . .	Do.
385.	Sri N. Ramachandran . . . . .	Do. . . . .	Do.
386.	Sri O. Shanmugham . . . . .	Do. . . . .	Do.
387.	Sri O. S. Srinivasan . . . . .	Do. . . . .	Do.

#### Fire Services Branch

#### *Gazetted Officers*

388.	Sri P. Ch. S. Raju . . . . .	District Fire Officer . . . . .	Allotted.
389.	Sri A. Radhakrishnamurthi . . . . .	Do. . . . .	Do.
390.	Sri B. B. Shastry . . . . .	Do. . . . .	Do.
391.	Sri B. K. Krishnamurthi Rao . . . . .	Do. . . . .	Do.
392.	Sri A. V. R. Sharma . . . . .	Do. . . . .	Do.
393.	Sri T. Gopalakrishna Rao . . . . .	Personal Assistant to the Inspector-General of Police, Fire Services Branch.	Do.

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*Non-Gazetted Officers*

394. Sri M. Z. Abdien (under suspension)	Station Officer		Allotted.
395. Sri Ch. Satyanarayananamurthi	Do.		Do.
396. Sri K. Jagadeswara Rao	Do.		Do.
397. Sri T. H. Ranga Rao	Do.		Do.
398. Sri C. Venkateswara Rao	Do.		Do.
399. Sri K. D. S. Srinivasa Rao	Do.		Do.
400. Sri P. V. Subba Rao	Sub Officer		Do.
401. Sri M. Venkat Rao	Do.		Do.
402. Sri P. Malliah	Do.		Do.
403. Sri S. K. S. Prakasa Rao	Do.		Do.
404. Sri K. Ebenezer	Do.		Do.
405. Sri M. Sundaramiah	Do.		Do.
406. Sri I. Dakshinamurthi	Do.		Do.
407. Sri S. D. Charles	Do.		Do.
408. Sri B. M. Lokiah	Do.		Do.
409. Sri K. S. D. V. Prasada Rao	Do.		Do.
410. Sri B. Bharata Rao	Do.		Do.
411. Sri Shaik Jamal Ahamed	Do.		Do.
412. Sri H. A. Khan	Do.		Do.
413. Sri V. Satyanarayana	Do.		Do.
414. Sri G. Appa Rao	Do.		Do.
415. Sri J. V. Venkataraju	Do.		Do.
416. Sri M. Krishnamurthi	Do.		Do.
417. Sri V. Subramaniam	Do.		Do.
418. Sri C. Rajamanickam	Do.		Transferred
419. Sri A. Thanickachalam	Do.		Do.
420. Sri T. B. Narain	Do.		Do.
421. Sri D. Vernon David	Do.		Do.
422. Sri P. Appa Rao	Engineer Sub-Officer		Allotted.
423. Sri Md. Vazeed Ali	Do.		Do.
424. Sri A. S. Jagannatha Rao	Junior Superintendent		Do.
425. Sri V. Varadachari	Accountant		Do.
426. Sri G. Ramamurthi	Telephone Operator		Do.

*Last Grade Services*

427. Sri T. R. Lakshminia .	Peon		Do.
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**SPECIAL BRANCH, C.I.D., MADRAS***Executive*

1. Sri P. Duraisamy	Sub-Inspectors of Police		Allotted.
2. Sri Gavaraju	Do.		Do.
3. Sri Premiah	Do.		Do.
4. Sri G. Suryanarayana	Do.		Do.
5. Sri G. Krishnamoorthy Naidu	Do.		Do.
6. Sri N. Neelakanta Rao	Do.		Do.
7. Sri Luther Maday	Do.		Do.
8. Sri Bulliraju	Do.		Do.
9. Sri Babu Rao	Do.		Do.
10. Sri N. Appa Rao	Do.		Do.
11. Sri J. Laxmana Rao	Do.		Do.
12. Sri Parásuramiah	Do.		Do.
13. Sri D. Ramakrishna Rao	Do.		Do.
14. Sri K.V. Dharma Raju	Do.		Do.
15. 572 Appa Rao	Head Constable		Do.
16. 451 Panchallah	Do.		Do.
17. 734 Subbiah	Do.		Do.
18. 1122 Vijayarangam	Do.		Do.
19. 491 Prakasam	Do.		Do.
20. 711 Thomas	Do.		Do.
21. 201 Somareaju	Do.		Do.

( 1 )	( 2 )	( 3 )
22. 65 Malliah . . . . .	Head Constable . . . . .	Allotted
23. 589 Ramiah . . . . .	Do. . . . .	Do.
24. 730 Isiah . . . . .	Do. . . . .	Do.
25. 838 Devanesan . . . . .	Do. . . . .	Do.
26. 183 Venkatasamy . . . . .	Do. . . . .	Do.
27. 950 Nagiah . . . . .	Do. . . . .	Do.
28. 369 Subba Rao . . . . .	Do. . . . .	Do.
29. 45 Bhansingh . . . . .	Do. . . . .	Do.
30. 605 Sreemannarayana . . . . .	Do. . . . .	Do.
31. 203 Venkatarathnam . . . . .	Do. . . . .	Do.
32. 830 Seshaiah . . . . .	Do. . . . .	Do.
33. 488 Appa Rao . . . . .	Do. . . . .	Do.
34. 362 Sarveswar Rao . . . . .	Do. . . . .	Do.
35. 358 Abdul Jabbar . . . . .	Do. . . . .	Do.
36. 727 Kotswara Rao . . . . .	Do. . . . .	Do.
37. 868 Appalasamy . . . . .	Do. . . . .	Do.
38. 1716 Bhavanarayana . . . . .	Do. . . . .	Do.
39. 160 Ramaniah . . . . .	Do. . . . .	Do.
40. 265 Samuel . . . . .	Do. . . . .	Do.
41. 490 Gopala Rao . . . . .	Do. . . . .	Do.
42. 4 Sheik Bhadullah . . . . .	Do. . . . .	Do.
43. 1496 Ramiah . . . . .	Police Constable . . . . .	Do.
44. 843 Ulagiah . . . . .	Do. . . . .	Do.
45. 916 Balaji Singh . . . . .	Do. . . . .	Do.
46. 486 Chalapathy . . . . .	Do. . . . .	Do.
47. 1816 Raghavalu . . . . .	Do. . . . .	Do.
48. 2148 Kondiah . . . . .	Do. . . . .	Do.
49. 845 Chandrasekharan . . . . .	Do. . . . .	Do.

## CRIME BRANCH, C.I.D., MADRAS.

50. K. Subba Rao . . . . .	Sub-Inspector of Police . . . . .	Allotted Officer.
51. G.V. Surva Rao . . . . .	Do. . . . .	Do.
52. B.V.S. Narayana . . . . .	Do. . . . .	Do.
53. P. Slvarao . . . . .	Do. . . . .	Do.
54. C. Srinivasulu . . . . .	Do. . . . .	Do.
55. S.P. Rangarao . . . . .	Head Constable 567 . . . . .	Do.
56. Govindaswamy . . . . .	Do. . . 1282 . . .	Do.
57. Satyanarayana . . . . .	Do. . . 1136 . . .	Do.
58. Seshachalam . . . . .	Do. . . 480 . . .	Do.
59. Krishna Singh . . . . .	Do. . . 868 . . .	Do.
60. Balasubramaniam . . . . .	Police Constable 1383 . . . . .	Do.
61. Venkiah . . . . .	Do. . . 451 . . .	Do.
62. Narayana Reddi . . . . .	Do. . . 1460 . . .	Do.
63. Subbarayalu . . . . .	Do. . . 1223 . . .	Do.
64. A. George . . . . .	Do. . . 809 . . .	Do.
65. Venkateswarlu . . . . .	Do. . . 1352 . . .	Do.
66. Latchanna . . . . .	Do. . . 30 . . .	Do.
67. K. Subba Rao . . . . .	Do. . . 1648 . . .	Do.
68. Veeriah . . . . .	Do. . . 1196 . . .	Do.
69. Seetharamiah . . . . .	Do. . . 1014 . . .	Do.
70. Gouse Mohideen . . . . .	Do. . . 153 . . .	Do.
71. Sathar . . . . .	Do. . . 504 . . .	Do.
72. Govardan . . . . .	Do. . . 1367 . . .	Do.
73. Ramareddi . . . . .	Do. . . 479 . . .	Do.
74. Narayanappa . . . . .	Do. . . 857 . . .	Do.
75. Duraisamy . . . . .	Do. . . 1190 . . .	Do.

## X. BRANCH, C.I.D. MADRAS,

## I. Executive Staff

76. Sri Jayaram Singh, Nellore . . . . .	Head Constable . . . . .	878 . . . . .	Allotted Officer
77. Sri K. Ascervatham, W. Godavary . . . . .	Do. . . . .	885 . . . . .	Do.
78. Sri Panchallah, Nellore . . . . .	Do. . . . .	178 . . . . .	Do.
79. Mohamad Sheriff, Guntur . . . . .	Do. . . . .	697 . . . . .	Do.

(1)	(2)	(3)
80. Shaik Hussain, Madras Railway Police	Police Constable	446
81. N.S. Narayana, Chittoor	Do.	550
82. Antony, Bellary	Do.	81
83. Sri Venkateswara Rao, Krishna	Do.	1348
84. Sri Jayaraman, Chittoor	Do.	621
85. Sri Ramaniah, Nellore	Do.	1717
86. Sri V. Appa Rao, Krishna	Do.	219
87. Sri Narasimhalu, Chittoor	Do.	869

## OFFICE OF THE SUPERINTENDENT, GOVERNMENT RAILWAY POLICE, MADRAS

1. Vedagiri	Peon	Allotted.
2. Ramachandran	Do.	Do.
3. Md. Hussain	Do.	Do.
4. V.M. Swaminathan	Do.	Do.
5. Theyagarejan	Do.	Do.

[No. 26/4/53-AIS(I).]

N. N. CHATTERJEE, Dy. Secy.

## MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 25th August 1954

S.R.O. 2837.—Shri R. B. Ghate, Protector of Emigrants, Bombay, was granted earned leave for 13 days with effect from the 7th June, 1954, with permission to prefix Sunday, the 6th June and suffix Sunday, the 20th June, 1954, to the leave. (F. 1-5/54-Emi.)

2. Notification No. 326-Emi, dated the 2nd June, 1954 is hereby cancelled.

[No. 515-Emi.]

MOHD. YUNUS, Under Secy.

## MINISTRY OF STATES

New Delhi, the 25th August 1954

S.R.O. 2838.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Tripura, the Bengal Suppression of Immoral Traffic Act, 1933 (Bengal Act VI of 1933) as at present in force in the State of West Bengal, subject to the following modifications, namely:—

## Modifications

1. Throughout the Act—

- (a) For the words "State Government" wherever they occur, the words "Chief Commissioner of Tripura" shall be substituted.
- (b) References to the "Chief Presidency Magistrate" wherever they occur shall be deemed as omitted.
- (c) References to "the Commissioner of Police" wherever they occur shall be deemed as omitted.

2. For sub-section (2) of section 1, the following shall be substituted, namely:—

"(2) It extends to the whole of Tripura."

3. Section 2 shall be omitted.

4. In sub-section (7) of section 3 at the end, for the words "any district", the words "in Tripura" shall be substituted.

5. (a) In clause (a)(i) of sub-section (7) of section 4, for the words "Corporation of Calcutta", the words "Municipality of Agartala" shall be substituted.  
 (b) Clause (a)(ii) of sub-section (7) of section 4 shall be omitted.
6. In clause (c)(i) of section 6 for the words "Corporation of Calcutta", the words "Municipality of Agartala" shall be substituted.

7. In sub-section (2) of section 14, after the words "Juvenile Court" the following words shall be inserted, namely:—

"existing in or"

8. In section 21 for clauses (a) and (b) the following shall be inserted, namely:—

"to the District Magistrate of Tripura"

9. For section 26 the following section shall be substituted, namely:—

"26. Limitation of actions.—The provisions of section 42 and section 43 of the Police Act, 1861 (V of 1861) shall apply to all actions and prosecutions for anything done or intended to be done under the provisions of this Act."

10. The Schedule shall be omitted.

#### ANNEXURE

*The Bengal Suppression of Immoral Traffic Act, 1933 as modified by the Ministry of States Notification No. 102-J, dated the 25th August 1954.*

*An Act for the Suppression of brothels and immoral traffic in Bengal.*

Whereas it is expedient to make better provision for the suppression of brothels and of traffic in women and girls for immoral purposes:

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act;

It is hereby enacted as follows:—

1. **Short title, Commencement and extent.**—(1) This Act may be called the Bengal Suppression of Immoral Traffic Act, 1933.

(2) It extends to the whole of Tripura.

(3) This section shall come into force at once and the remaining provisions of this Act, in whole or in part, shall come into force in such areas and on such dates as the Chief Commissioner Tripura may, by notification in the Official Gazette specify and for this purpose different dates may be specified for different provisions of this Act and for different areas.

2. Omitted.

3. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(1) "brothel" means any house, part of a house, room or place in which two or more females carry on prostitution \* \* \* \* \* or in which any girl under the age of eighteen years is kept with intent that she shall at any age be employed or used for any immoral purpose.

**Explanation.**—Where a girl under the age of eighteen years is for the time being resident in any house or place used by one or more females for the purpose of prostitution and is being maintained by or associating with any prostitute, it shall, unless such girl is the daughter of an inmate of such house or place, be presumed until the contrary is proved that she is being kept with intent that she shall be employed or used for an immoral purpose;

(2) Omitted.

(3) "prescribed" means prescribed by rules made under this Act;

(4) "prostitution" means promiscuous sexual intercourse for hire, whether in money or kind;

(5) "prostitute" means any female available for the purpose of prostitution;

(6) "public place" includes the site of any *hat, bazar, or mela*, the banks of any river and any docks, jetties and warehouses to which the public have access, every public building, garden, monument, and

the precincts thereof, every place of public amusement, every place of public entertainment and every place accessible to the public for drawing water, washing or bathing, or for purposes of recreation.

**Explanation.**—(a) The expression “place of public amusement” means any place, enclosure, building, tent, booth or other erection, whether permanent or temporary, where music, singing, dancing, or any diversion or game, or the means of carrying on the same, is provided, and to which the public are admitted either on payment of money, or with the intention that money be collected from those admitted, and includes a race-course, carnival, circus, cinema, theatre, music hall, billiard-room, bagatelle-room, gymnasium and fencing school.

(b) The expression “place of public entertainment” means any place, whether enclosed or open, to which the public are admitted, and where any kind of food or drink is supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such place and includes a refreshment-room, eating-house, coffee-house, liquor-house, boarding-house, lodging-house, hotel, tea-shop, tavern and a wine, beer, spirit, arrack, toddy, ganja, bhang or opium shop.

(7) “Superintendent of Police” includes any Assistant Superintendent of Police or other person appointed by general or special order of the Chief Commissioner to perform all or any of the duties of a Superintendent of Police under this Act in Tripura.

#### 4. Punishment for keeping a brothel or allowing premises to be used as a brothel.—(1) Any person who—

- (a) keeps or manages or acts or assists in the management of a brothel, or
- (b) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or
- (c) being the lessor or landlord of any premises or the agent of such lessor or landlord, lets the same, or any part thereof, with the knowledge that the same, or any part thereof, is intended to be used as a brothel,

shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

(2) Any person who, having been convicted of an offence punishable under sub-section (1) is convicted of a subsequent offence punishable under the said sub-section shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both, and may in addition be ordered by the Court convicting him to execute a bond for a sum proportionate to his means, with or without sureties, to be of good behaviour for such period not exceeding three years as it thinks fit.

(3) If a conviction under sub-section (2) is set aside on appeal or otherwise the bond so executed shall be void.

(4) An order for the execution of a bond in accordance with the provisions of sub-section (2) may also be made by an Appellate Court or by the High court when exercising its powers of revision.

(5) The provisions of Chapter VIII of the Code of Criminal Procedure, 1898, (Act V of 1898) shall apply to orders made for the execution of bonds under this section, and imprisonment for failure to give security shall be rigorous or simple as the Court may direct.

(6) In a prosecution under this section if it is found that any premises or part thereof have been used as a brothel it shall be presumed until the contrary is proved that the manager, tenant, lessee, occupier or person in charge of such premises or part knew that the premises or part thereof were being used as a brothel.

(7) No Court shall take cognizance of any offence punishable under this section except on the complaint of—

- (a) (i) the Municipality of Agartala, if the premises are situated within its jurisdiction, or
- (ii) Omitted.
- (b) three or more persons occupying separate premises or holdings and resident in the vicinity of the premises or holdings to which the complaint relates; or

(c) a representative of any society recognised by the State Government in this behalf who has been authorised by the society to institute prosecutions under this section.

(8) No complaint shall be instituted under this section in respect of any brothel with reference to which proceedings are pending under section 6.

**5. Determination of tenancy of premises in the case of a conviction under section 4.**—(1) On conviction of the tenant, lessee or occupier of any premises of any offence under section 4 in respect of such premises, the landlord or lessor of such premises shall be entitled to require the person so convicted to surrender the lease or other contract under which the said premises are held by him, or to assign the said lease or contract to some person approved by the landlord or lessor which approval shall not be unreasonably withheld, and, in the event of the person so convicted failing within three months to surrender or assign the lease or contract as aforesaid, the landlord or lessor shall be entitled to determine the lease or other contract, but without prejudice to the rights or remedies of any party to such lease accruing before the date of such determination.

(2) If the landlord or lessor determines a lease or contract of tenancy under the provisions of sub-section (1), the Court which convicted the tenant, lessee, or occupier of the premises may make an order for delivery of possession by such tenant, lessee, or occupier to the landlord or lessor within such time, not being less than seven days, as the Court may direct. A copy of the order shall be served on the person against whom it is made. If such person fails to comply with the order he shall be punished with imprisonment of either description for a term which may extend to one month or with fine which may extend to two hundred rupees or with both, and the Court may take such steps as it considers necessary to put the landlord or lessor in actual possession of the premises.

(3) The Court convicting any tenant, lessee or occupier of an offence punishable under section 4 in respect of any premises may give notice in writing of such conviction to the landlord or lessor of such premises, and if the landlord or lessor after service of the notice does not exercise his rights under sub-section (1) and subsequently during the subsistence of the lease or contract an offence under section 4 is again committed in respect of the premises, the landlord or lessor shall be deemed to have abetted such offence, unless he proves that he has taken all reasonable steps to prevent the recurrence of the offence.

(4) Where a landlord or lessor determines a lease or other contract under sub-section (1), and subsequently grants another lease or enters into another contract of tenancy in respect of the same premises to, with or for the benefit of the same person he shall be deemed to have failed to exercise his rights under sub-section (1) and any offence under section 4 committed during the subsistence of the subsequent lease or contract shall be deemed for the purposes of this section to have been committed during the subsistence of the previous lease or contract unless such landlord or lessor satisfies the Court that he made reasonable inquiries to justify a *bona fide belief* that such tenant, lessee or occupier did not intend to use the premises as a brothel or to allow them to be so used.

(5) No action taken by any landlord or lessor under the provisions of this section shall be called in question in any Civil Court.

**6. Power to order discontinuance of house, room or place as brothel, etc.**—(1) If the Superintendent of Police receives information that any house, room or place—

(a) is being used as a brothel or disorderly house, or for the purpose of carrying on prostitution, in the vicinity of any educational institution or of any boarding house, hostel or mess used or occupied by students, or of any place of public worship or recreation, or

(b) is used as, or for the purpose aforesaid to the annoyance of inhabitants of the vicinity, or

(c) is used as, or for the purpose, aforesaid on any main thoroughfare which has been notified as such in this behalf by the Chief Commissioner on the recommendation of—

(i) the Municipality of Agartala, if the thoroughfare is situated within its jurisdiction, or

(ii) the Commissioners of any Municipality, within whose jurisdiction the thoroughfare is situated, made in pursuance of a resolution of the Commissioners of the Municipality, or

(d) is used as a common place of assignation,

he may cause a notice to be served on the owner, lessor, manager, lessee, tenant or occupier of the house, room or place or all of them, to appear before him, either in person or by agent, on a date to be fixed in such notice, and to show cause why, on the grounds to be stated in the notice, an order should not be made for the discontinuance of such use of such house, room or place.

(2) If, on the date fixed, or on any subsequent date to which the hearing may be adjourned, the Commissioner of Police or Superintendent of Police is satisfied after making such inquiry as he thinks fit, that the house, room or place is used as described in clause (a), (b), (c), or (d) of sub-section (1), as the case may be, he may direct by order in writing to be served on such owner, lessor, manager, lessee, tenant or occupier, that the use as so described of the house, room or place be discontinued from a date not less than fifteen days from the date of the said order and be not thereafter resumed.

(3) No house, room or place, concerning which an order has been made under sub-section (2), shall again be used or, be allowed to be used, in any manner described in clause (a), (b), (c) or (d) of sub-section (1), as the case may be, and the Superintendent of Police, if he is satisfied that such house, room or place is again used in such manner, may by order in writing to be served on the owner, lessor, manager, lessee, tenant or occupier of such house, room or place direct that the use as so described of such house, room or place be discontinued within a period of seven days and be not thereafter resumed.

(4) For the purpose of this section the decision of the Superintendent of Police that a house, room or place is used in any manner, or for any purpose, described in clause (a), (b), (c) or (d) of sub-section (1) shall be final, and the legality or propriety thereof shall not be questioned in any trial or judicial proceeding in any Court.

(5) Whoever, after an order has been made by the Superintendent of Police under sub-section (2) or sub-section (3) in respect of any house, room or place, uses, or allows to be used, such house, room or place in a manner which contravenes such order after the period stated therein, shall be punished with fine which may extend to fifty rupees for every day after the expiration of the said period during which the breach continues, and shall, on a second conviction for the same offence, be punished with imprisonment for a term which may extend to six months in addition to, or in lieu of, any fine imposed.

(6) For the purpose of an inquiry under this section the Superintendent of Police may depute any police officer not below the rank of an inspector to make a local investigation, and may take into consideration his report thereon.

(7) The Superintendent of Police shall maintain a register in which shall be entered a description of all houses, rooms and places in respect of which an order has been made under this section. Such register shall be open to inspection by the public on payment of the prescribed fee.

(8) Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which an order has been made on the lessee, tenant or occupier thereof directing the discontinuance of the use thereof as a brothel or disorderly house or for the purpose of carrying on prostitution, or as a common place of assignation, shall be entitled forthwith to determine such lease, tenancy or occupation.

(9) No proceedings shall be taken under this section in respect of premises which are the subject of any proceedings under section 4 or within six months of the termination of such proceedings.

**7. Soliciting for purposes of prostitution.**—(1) Any person who in any street or public place or within sight of, and in such manner as to be seen or heard from any street or public place whether from within any house or building or not—

(a) by words, gestures, or indecent personal exposure attracts or endeavours to attract attention for the purposes of prostitution; or

(b) solicits or molests any person for the purposes of prostitution; shall be punished with imprisonment of either description which may extend to one month or with fine which may extend to one hundred rupees, or with both.

(2) Notwithstanding anything contained in section 65 of the Indian Penal Code (Act XLV of 1860), imprisonment in default of fine imposed under sub-section (1) may extend to one month.

**8. Punishment for living on the earnings of prostitution.**—(1) Any person over the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of another person shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which

may extend to one thousand rupees, or with both, and, if a male person, shall also be liable to whipping.

(2) Where a person is proved to be living with, or to be habitually in the company of a prostitute, or to have exercised control, direction or influence over the movements of a prostitute, in such a manner as to show that he is aiding, abetting or compelling her prostitution, it shall be presumed until the contrary is proved, that he is living on the earnings of prostitution:

Provided that the mother, or a son or daughter of a prostitute, shall not be punished under this section for living on the earnings of such prostitute unless the Court is satisfied that such mother, son or daughter is aiding, abetting or compelling her prostitution.

**9. Procuration.**—(1) Any person who induces a female to go from any place with intent that she may, for the purposes of prostitution, become the inmate of, or frequent a brothel, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to one thousand rupees, or with both, and, if a male person, shall also be liable to whipping.

(2) An offence under this section shall be triable in the place from which the female was induced to go, or in any place to which she may have gone as a result of such inducement.

**10. Punishment for importing a female for prostitution.**—(1) Any person who brings or attempts to bring or causes to be brought into any place in which this Act is in force any female with a view to her earning hire, or being brought up to earn hire as a prostitute, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to one thousand rupees, or with both, and, if a male person, shall also be liable to whipping.

(2) An offence under this section may be tried in any place to which the female is brought or caused to be brought, or in which an attempt to bring her is made, or in any place from which she is brought or caused to be brought, or from which an attempt to bring her is made.

**11. Punishment for detention as prostitute or in brothels, etc.**—Any person who detains—

- (a) any female under the age of eighteen years, against her will in any house, room or place in which prostitution is carried on, or
- (b) any female against her will in or upon any premises with intent that she may have sexual intercourse with any man other than her lawful husband, whether with any particular man or generally,

shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to one thousand rupees or with both.

**12. Punishment for causing or encouraging or abetting seduction or prostitution of girl.**—If any person having the custody, charge or care of any girl under the age of eighteen years causes or encourages or abets the seduction or prostitution of that girl, he shall be punished with imprisonment of either description for a term which may extend to two years or with fine which may extend to one thousand rupees or with both, and if a male person, shall be liable also to whipping.

**13. Removal of minor girls from premises in certain cases.**—The Superintendent of Police, or a police officer not below the rank of a sub-inspector specially authorised in writing in this behalf by the Superintendent of Police, may enter any premises if he has reason to believe—

- (a) that an offence punishable under section 4 has committed or is being committed in respect of the premises; or
- (b) that a female in respect of whom an offence punishable under sections 8, 9, 10, 11 or 12 has been committed is to be found therein;

and may remove any girl who appears to him to be under the age of eighteen years, if he is satisfied—

- (a) that an offence punishable under section 4 has been or is being committed in respect of the premises; or
- (b) that an offence punishable under sections 8, 9, 10, 11 or 12 has been committed in respect of the girl.

**14. Disposal of minor girls removed from premises under section 13.**—(1) A girl who has been removed from any premises under section 13 and who appears to be under the age of sixteen years shall be brought before a Juvenile Court as defined in clause (3a) of section 3 of the Bengal Children Act, 1922 (Ben. Act II of 1922), having jurisdiction over the place where the premises are situated. The Court shall make such inquiry as it thinks fit and if satisfied that the girl is under the age of sixteen years and that she should be dealt with as hereinafter provided, may pass an order that she be placed in suitable custody in the prescribed manner until she attains the age of eighteen years or for any shorter period, or make her over to the care of a suitable person under such conditions as may be prescribed and may in addition make an order that she be placed under the supervision of a person to be named by the Court.

(2) Where a girl has been removed from any premises under section 13 and there is no Juvenile Court existing in or having jurisdiction over the place where the premises are situated or the girl appears to be above the age of sixteen years, she shall be brought before a Magistrate of the first class having jurisdiction over such place. The Magistrate shall make such inquiry as he thinks fit and, if satisfied that the girl is under the age of eighteen years and that she should be dealt with as hereinafter provided, may pass an order that she be placed in suitable custody in the prescribed manner until she attains the age of eighteen years or for any shorter period, or make her over to the care of a suitable person under such conditions as may be prescribed and may in addition make an order that she be placed under the supervision of a person to be named by the Magistrate.

**15. Validity of determination of age by Juvenile Court or Magistrate.**—No order made by a Juvenile Court or a Magistrate under section 14 shall be invalidated by any subsequent proof that the age of the girl has not been correctly determined by the Court or the Magistrate.

**16. Power to call for record.**—Where any girl is produced before a Juvenile Court or a Magistrate under section 14 and any person has been tried by any Court on a charge under sections 8, 9, 10, 11 or 12 in respect of such girl or under section 4 in respect of the premises from which she has been removed, the record of such trial may be called for by the Juvenile Court or the Magistrate and the record of evidence given in such trial may be used by such Juvenile Court or Magistrate for the purposes of the inquiry under section 14, as if recorded by such Court or Magistrate respectively.

Nothing in this section shall prevent any Juvenile Court or Magistrate hearing and recording the evidence of any witness if such Court or Magistrate thinks fit.

**17. Intermediate custody of girls removed from premises under section 13.**—(1) When a girl has been removed from any premises under the provisions of section 13, the officer carrying out the removal shall, until such girl can be brought before a Juvenile Court or Magistrate of the first class, cause her to be detained in such place as may be prescribed in this behalf by the Chief Commissioner.

(2) When such girl is produced, the Juvenile Court or the Magistrate, as the case may be, may order her to be detained until the disposal of her case in such place as may be prescribed in this behalf by the Chief Commissioner or may make her over to the care of a suitable person and may order such person to execute a bond for her production.

**18. Contribution of parents.**—(1) When an order has been passed by a Juvenile Court or a Magistrate under section 14 for the custody of a girl, such Court or Magistrate may order the parent or other person liable to maintain the girl to contribute to her maintenance, if able to do so, in the prescribed manner.

(2) The Court or Magistrate, before making an order under sub-section (1), shall inquire into the circumstances of the parent or other person liable to maintain the girl and shall record the evidence, if any, in the presence of the parent or such other person, as the case may be, if he appears or, when his personal attendance is dispensed with, in the presence of his pleader.

(3) Any order made under this section may be enforced in the same manner as an order under section 488 of the Code of Criminal Procedure, 1898 (Act V of 1898).

**19. Authority of persons having custody of girls.**—Notwithstanding anything contained in any other law, any person to whose custody a girl is committed by an order made under section 14 shall, while the order is in force, have the like control over the girl as if he were her parent and shall be responsible for her maintenance and protection and the girl shall continue in his custody notwithstanding that she is claimed by her parent or any other person.

**20. Inspection of institutions where girls are kept.**—The Chief Commissioner may cause any institution in which any girl is kept for the time being in pursuance of an order made under section 14 and which is supported wholly or partly by voluntary contributions, and is not liable to be inspected by or under the authority of any Government to be visited and inspected from time to time by persons appointed by the Chief Commissioner for the purpose.

**21. Appeal from orders by Juvenile Court or Magistrate.**—An appeal shall lie from any order passed under section 14 or section 18 by a Juvenile Court or by a Magistrate to the District Magistrate of Tripura.

**22. Arrest without warrant for solicitation.**—Any police officer may, at the instance of any person aggrieved, arrest without warrant any person who, in his sight and in a public place, solicits any person for the purposes of prostitution to the annoyance of the person solicited or of two or more inhabitants of the locality or passersby if the name and address of the person soliciting be unknown to him and cannot be ascertained by him then and there.

**23. Offences triable only by Presidency or First Class Magistrates.**—Notwithstanding anything contained in Schedule II to the Criminal Procedure Code, 1898, no Magistrate other than a Presidency Magistrate or Magistrate of the first class shall try any offence punishable under section 4, 5, 6, or 12.

**24. Bonds.**—The provisions of Chapter XLII of the Code of Criminal Procedure, 1898 (Act V of 1898), shall apply to bonds taken under this Act, or under the rules made under section 27.

**25. Notices.**—Whenever a notice or copy of an order may be served under the provisions of this Act, such service shall be made in the manner provided for the service of a summons in the Code of Criminal Procedure, 1898, provided that if service is to be made under the provisions of section 71 of that Code, and it is not known where the person on whom such notice or the copy of such order is to be served ordinarily resides, the serving officer shall affix one of the duplicates of such notice or such copy of such order to some conspicuous part of the premises to which such notice or order relates.

**26. Limitation of actions.**—The provisions of section 42 and section 43 of the Police Act, 1861 (V of 1861) shall apply to all actions and prosecutions for anything done or intended to be done under the provisions of this Act.

**27. Rules.**—(1) The Chief Commissioner may subject to the conditions of previous publication make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Chief Commissioner may make rules—

- (a) prescribing the fee to be paid for inspection of a register maintained under sub-section (7) of section 6;
- (b) prescribing the manner in which girls may be placed in suitable custody under sub-section (1) and sub-section (2) of section 14 and the places in which they may be kept, and providing for the care, treatment, instruction, maintenance, and supervision of such girls;
- (c) prescribing the conditions under which girls may be made over to the care of a suitable person under sub-section (1) and sub-section (2) of section 14;
- (d) prescribing the places in which girls may be detained under the provisions of sub-section (1) and sub-section (2) of section 17;
- (e) prescribing the manner in which the managers of any institution prescribed as suitable custody may board out or license any girl placed in such custody under section 14, and providing for the supervision of such girls when boarded out or licensed;
- (f) providing for bonds to be taken from persons with whom such girls are boarded out, or who take them on license;
- (g) providing bonds to be taken by a Juvenile Court or by a Magistrate when making such girls over to suitable custody, not being the custody of a notified institution, and for the form of such bonds, and the

conditions to be contained therein, and for cancelling such bonds, and for making further provisions for the suitable custody of such girls on forfeiture of such bonds;

- (h) regulating the contribution by parents and other persons liable to maintain girls placed in suitable custody.

[No. 102-J.]

*New Delhi, the 1st September 1954*

**S.R.O. 2839.**—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Chief Commissioner of the State of Bhopal shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions of a State Government under the provisions of section 93 of the Code of Civil Procedure, 1908 (V of 1908), in the said State.

[No. 104-J.]

J. C. GHOSAL, Under Secy.

### MINISTRY OF FINANCE

*New Delhi, the 25th August 1954*

**S.R.O. 2840.**—In exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (XVIII of 1944), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

#### THE PUBLIC DEBT (ANNUITY CERTIFICATES) RULES, 1954

1. **Short title and application.**—(1) These rules may be called the Public Debt (Annuity Certificates) Rules, 1954.

(2) They shall—

- (i) extend to the areas to which the Public Debt Act, 1944 (XVIII of 1944) extends; and
- (ii) apply to a Government security in the form of an annuity certificate issued under clause (2)(a)(iv) of section 2 of the Act read with rule 4 of the Public Debt Rules, 1946.

2. **Definitions.**—In these rules, unless the context otherwise refers—

- (1) “the Act” means the Public Debt Act, 1944 (XVIII of 1944);
- (2) “annuity” means any periodical payment of a part of the principal and interest in pursuance of the issue of an annuity certificate as may be determined by the Government;
- (3) “annuity certificate” means a Government security which provides for payment of an annuity;
- (4) “the Bank” means the Reserve Bank of India;
- (5) “Form” means a Form as set out in the Schedule to these rules;
- (6) “the Government” means the Central Government;
- (7) “Public Debt Office” means the office of the Reserve Bank of India on the books of which an annuity certificate is or may be registered;
- (8) “mutilated annuity certificate” means an annuity certificate which has been destroyed, torn or damaged in material parts thereof and the material parts of an annuity certificate are those where:
  - (i) the number, description and the face value of the annuity certificate or payments of annuity are recorded, or
  - (ii) the name of the payee is written.
- (9) “defaced annuity certificate” means an annuity certificate which has been made illegible or rendered undecipherable in material parts;

(10) "lost annuity certificate" means an annuity certificate which has actually been lost and shall not mean an annuity certificate which is in the adverse possession of any person other than the claimant; and

(11) "section" means a section of the Act.

**3. Non-transferability of Annuity Certificates.**—An annuity certificate shall not be transferable.

**4. Payment of Annuity.**—The amounts due on an annuity certificate may be made payable at any treasury or sub-treasury in India or at the Public Debt Office, subject to compliance by the holder of such formalities as the Public Debt Office may require and the payment shall accordingly be made at such treasury or sub-treasury or at the Public Debt Office on presentation of the annuity certificate. The payee shall give a receipt in Form A. Where, however, the payment is due at a place where a Public Debt Office is located, the annuity certificate shall be presented at the Public Debt Office which shall issue an annuity warrant in favour of the holder payable at the local office of the Bank. Notwithstanding anything contained herein, any payment due at a treasury or sub-treasury may be made by the Public Debt Office by a warrant payable at such treasury or sub-treasury.

**5. Procedure when an Annuity Certificate is lost, etc.**—(1) Every application for the issue of a duplicate annuity certificate in the place of an annuity certificate which is alleged to have been lost, stolen, destroyed, mutilated or defaced, either wholly or in part, shall be addressed to the Public Debt Office and shall be accompanied by:—

- (a) a statement containing the following particulars:
- (i) the period for which payments have been made;
- (ii) the place at which the annuity certificate was for the time being enframed for payment;
- (iii) the circumstances attending the loss, theft, destruction, mutilation or defacement; and
- (iv) whether the loss or theft was reported to the police;
- (b) the Post Office registration receipt for the cover containing the annuity certificate if the same was lost in transmission by registered post;
- (c) a copy of the police report, if the loss or theft was reported to the police;
- (d) an affidavit sworn before a Magistrate testifying that the applicant was the legal holder of the annuity certificate and that the annuity certificate is not in his possession nor has it been dealt with by him;
- (e) any portions or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced annuity certificate.

(2) A duplicate of the letter sent to the Public Debt Office but not of its enclosures, shall also be sent to the treasury where the certificate was enframed for payment.

(3) The Bank shall, if it is satisfied of the loss, theft, destruction, mutilation or defacement of the annuity certificate, order the Public Debt Office to issue a duplicate annuity certificate.

**6. Determination of Mutilated Annuity Certificate Requiring Renewal.**—It shall be at the option of the Bank to treat an annuity certificate which has been mutilated or defaced, as an annuity certificate requiring issue of a duplicate under rule 5 or a renewal under rule 7.

**7. When an Annuity Certificate is Required to be Renewed.**—(1) A holder of an annuity certificate may be required by the Public Debt Office to receipt the same for renewal in any of the following cases, namely:—

- (a) if the annuity certificate is torn or in any way damaged;
- (b) if the annuity certificate having been enframed three times for payment of annuity is presented for re-enframing; and
- (c) if, in the opinion of the Public Debt Office, the title of the person presenting the annuity certificate is irregular or not fully proved.

(2) When a requisition for renewal of a certificate has been made under sub-rule (1), further payments on the certificate may be refused until it is receipted for renewal and actually renewed.

**8. Execution of Bonds by Persons entitled to Annuity Certificates.**—In cases to which section 9, 10, 11 or 12 applies, the Bank may require any person considered by it as being entitled to an annuity certificate to execute a bond in Form B, with or without sureties or furnishing collateral security in the form of Government securities not exceeding twice the value of the subject matter of the order, to be held at the disposal of the Bank, to pay to the Bank or to any person to whom the Bank may assign the bond or security in furtherance of sub-section (2) of section 16, the amount thereof.

**9. Receipt for Renewal, etc.**—Subject to any general or specific instructions from the Bank, the Public Debt Office may, on application by the holder, renew an annuity certificate provided that the annuity certificate has been receipted in Form C.

**10. Application for Grant of Information.**—(1) Any person requiring information regarding an annuity certificate in the custody of the Public Debt Office may apply to that office in writing.

(2) Every such application shall state with precision the particulars (namely the number, description and the face value) of the annuity certificate and shall contain a statement of the purpose for which the information is required and of the interest of the applicant in the annuity certificate. If any of the above particulars are not known to the applicant, the Bank may on application in writing being made to it, direct the Public Debt Office, at its discretion, to supply the required particular or particulars, if available, to the applicant subject to such conditions and on payment of such fees, if any, as it may direct.

**11. Disposal of Application for Grant of Information or Inspection.**—The Bank may reject any application for grant of information about any annuity certificate without stating any reason therefor.

**12. Indemnity Bond and Fees in Connection with Grant of Information or Inspection.**—(1) Before any information is supplied, every applicant shall, if so required by the Bank, execute a bond of indemnity as nearly as may be in Form D for such amount as may be specified by the Bank not exceeding twice the value of the annuity certificate.

(2) Before any information is supplied to him every applicant shall, if so required by the Bank, pay a fee of one rupee for each annuity certificate in respect of which any information is supplied.

**13. Fees.**—Every applicant shall pay a fee of one rupee for each renewed, or duplicate annuity certificate before a renewed or duplicate annuity certificate is issued to him.

**14. Public Debt Rules with certain Exceptions not to apply to Government Securities Governed by these Rules.**—The public Debt Rules, 1946 except rule 4 thereof shall not apply to such Government securities in the form of annuity certificates to which these rules apply.

**FORM 'A'**

( See rule 4 )

*Receipt for payment on Annuity Certificates*

..... Annuity Certificates.

Received from the Government Treasury at \_\_\_\_\_ payment due on Annuity Certificates as follows : —

No. of Annuity Certificate	Amount of each Certificate	Amount of payment	Period for which payments are due.	Total amount due	Date upto which payment is due.	Name of holder of Annuity Certificate.
	Rs. As. Ps.	Rs. As. Ps.		Rs. As. Ps.		
			Total			

Total received (in words)

Signature \_\_\_\_\_

(State whether holder or  
holder's attorney or  
administrator.)

## FORM B

(See rule 8)

*Security Bond*

This Agreement is made on the ..... day of .....  
 ..... Between .....  
 son of .....  
 resident of .....  
 of the one part and the Reserve Bank of India of the other part.

Whereas I/we am/are represent the true and lawful owner/s of the ..... Annuity Certificates specified in Schedule "A" hereto annexed.

And whereas I/we have applied to the Reserve Bank of India, Public Debt Office ..... for ..... of the said Annuity Certificates and the said Bank have consented so to do upon my/our giving security of Rs. .... to meet a claim by a rightful owner to the said Annuity Certificates in case there shall be such a claim.

Now these Presents witness that in pursuance of the aforesaid agreement I/we hereby oblige myself/ourselves to make good the claim of the rightful owner in respect of the said Annuity Certificates and I/we hereby further agree that this security bond may be held by the said Bank and the said Bank may assign the security bond to the rightful owner of the said Annuity Certificates.

In witness whereof I/we have subscribed my/our name/names .....  
 ..... day of .....

Signed by the within mentioned  
 in the presence of

Principal.

I/We

.....  
 son of .....  
 resident of .....  
 hereby undertake to make good any claim to the rightful owner of the Annuity Certificates mentioned in the Schedule hereto in case the principal/principals makes/make default in payment of the claim by virtue of the above agreement.

Signed by the within mentioned  
 in the presence of

Surety

*Schedule "A" Referred to in the Bond.*

Nature and description of the Annuity Certificate	Number	Date of Issue	Amount

## FORM C

(See rule 9)

*Form of indorsement for renewal of an Annuity Certificate*

Received in lieu hereof a renewed annuity certificate payable to (name of holder) ..... with annuity payable at ..... Treasury.  
 Signature of the holder/duly authorised representative of (name of holder) .....

## FORM D

(See rule 12)

## Form of Indemnity Bond

Whereas I/we .....  
 son of .....  
 resident at .....  
 (and .....  
 son of .....  
 resident at .....  
 claim to be entitled .....)

(Here state in what capacity claim to the Annuity Certificates is made) to the Annuity Certificate(s) specified in the Schedule hereunder written and have represented to the Reserve Bank of India, Public Debt Office, ..... that the said Annuity Certificate(s) has/have been ..... and have applied to the Reserve Bank of India, Public Debt Office, ..... for an inspection of the said Annuity Certificate(s) and also for all other information and particulars respecting the said Annuity Certificate(s) and whereas the Reserve Bank of India, Public Debt Office, ..... has agreed to give inspection and to afford to me/us all information and particulars affecting the said Annuity Certificates I/we oblige myself/overslves my/our heirs and assigns whatsoever

(To be omitted if bond taken from one person only)

(jointly and severally) to guarantee and defend and relieve the Reserve Bank of India, Public Debt Office, ..... and the Government to the extent of Rs.\* ..... from all and any claim, question and expenses which may be raised against or incurred by the Reserve Bank of India, Public Debt Office, ..... or the Government in reference to the said Annuity Certificate(s).

In witness hereof I/we have subscribed my/our name(s) this ..... day of .....

Signed by the within mentioned  
in the presence of.....

Applicant's signature.

The Schedule referred to in the foregoing Bond.

\*Double the amount of the payments made thereon since the respective dates of issue.

[No. F.7(1)-B/54.]

H. S. NEGI, Dy. Secy.

(Department of Economic Affairs)  
 (Company Law and Investment Administration)  
 COMPANY LAW

New Delhi, the 28th August 1954

**S.R.O. 2841.**—It is hereby notified for general information that in pursuance of sub-section (2) of Section 248 of the Indian Companies Act, 1913 (VII of 1913), the Central Government has appointed with effect from the 30th May 1954, (forenoon), Shri H. D. Shourie, I.A.S., Director of Industries, Punjab to be the Registrar of Joint Stock Companies vice Shri Daljeet Singh.

[No. 3(57)-CLIA/54.]

**S.R.O. 2842.**—It is hereby notified for general information that in pursuance of sub-section (2) of Section 248 of the Indian Companies Act, 1913 (VII of 1913), the Central Government appointed with effect from the 26th April 1954 (afternoon) Shri Daljeet Singh, P.C.S., Director of Industries, Punjab to be the Registrar of Joint Stock Companies vice Shri Jaswant Singh Basur.

[No. 3(57)-CLIA/54.]

P. D. KASBEKAR, Dy. Secy.

## MINISTRY OF FINANCE (REVENUE DIVISION)

## CUSTOMS

*New Delhi, the 28th August 1954*

S.R.O. 2843.—The following draft of certain amendments in the Customs Duties Drawback (Dry Radio Batteries) Rules, 1954, which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (VIII of 1878), is published, as required, by subsection (3) of the said section, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after one month from the date of the publication of this notification in the official Gazette.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the expiry of the period of time specified will be considered by the Central Government.

*Amendments*

In the said rules—

- (1) in rule 5—(i) in sub-rule (2), for the word "nominate" the words "authorise in this behalf" shall be substituted; and for the words "nominated Chief Customs Officer" the words "Authorised Chief Customs Officer" shall be substituted; and
- (ii) in sub-rule (4), for the words "nominated Chief Customs Officer", the words "Authorised Chief Customs Officer" shall be substituted.
- (2) in rule 6—in sub-rule (2), for the words "nominated Chief Customs Officer", the words "Authorised Chief Customs Officer" shall be substituted.
- (3) in rule 7—(i) in sub-rule (1)(a)(ii), for the words "nominated Chief Customs Officer", the words "Authorised Chief Customs Officer" shall be substituted; and
- (ii) in sub-rule (2), for the words "nominated Chief Customs Officer", the words "Authorised Chief Customs Officer" shall be substituted.

[No. 88.]

JASJIT SINGH, Dy. Secy.

## CENTRAL EXCISES

*New Delhi, the 31st August 1954*

S.R.O. 2844.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government hereby directs that the following further amendment shall be made in the Central Excise Rules, 1944, namely:—

In sub-clause (A) of clause (ii) of rule 2 of the said Rules in item (g) the word "Bilaspur" shall be omitted.

[No. 88.]

M. P. ALEXANDER, Under Secy.

## CUSTOMS

*New Delhi, the 4th September 1954*

S.R.O. 2845.—In exercise of the powers conferred by Section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts Chloroquine Diphosphate and Chloroquine Sulphate imported into India and

falling under item No. 28 of the First Schedule to the Indian Tariff Act, 1934  
[XXXII of 1934)—

- (1) from so much of the customs duty leviable thereon under the second Act cited above, as is in excess of the duty of 10 per cent. *ad valorem* where the standard rate of duty is leviable; and
- (2) from the whole of the duty leviable thereon where a preferential rate of duty is leviable,

and also from the whole of the additional duty of customs leviable thereon under any law for the time being in force.

[No. 96.]

**S.R.O. 2846.**—In exercise of the powers conferred by Section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts coffee, when exported from India in packages not exceeding ten pounds in weight each, from the payment of the whole of the duty of customs leviable thereon under section 11 of the Coffee Market Expansion Act, 1942 (VII of 1942).

[No. 97.]

E. RAJARAM RAO, Joint Secy.

#### ORDERS

#### STAMPS

New Delhi, the 24th August 1954

**S.R.O. 2847.**—In exercise of the powers conferred by clause (a) of subsection (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits the whole of the stamp duty chargeable under the said Act on the lease deed in respect of a plot of land measuring 5.995 acres in Chanakyapuri (Diplomatic Enclave) to be executed in favour of the Italian Embassy in India.

[No. 6.]

**S.R.O. 2848.**—In exercise of the powers conferred by clause (a) of subsection (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government remits the stamp duty chargeable on the instrument of lease to be executed in favour of the Government of the Federal Republic of Germany in respect of a plot of land measuring 5.995 acres in Chanakya Puri (Diplomatic Enclave), New Delhi.

[No. 7.]

**S.R.O. 2849.**—In exercise of the powers conferred by clause (a) of subsection (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits retrospectively the whole of the stamp duty chargeable under the said Act on the lease dated the 7th November, 1953, executed in favour of the High Commission in India for the United Kingdom in respect of the premises known as 2, South End Road, New Delhi.

[No. 8.]

**S.R.O. 2850.**—In exercise of the powers conferred by clause (a) of subsection (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits the whole of the stamp duty chargeable under the said Act on the lease deed in respect of a plot of land measuring 5.995 acres in for United Kingdom in respect of the premises known as 2, King George Avenue, New Delhi.

[No. 9.]

*New Delhi, the 27th August 1954*

**S.R.O. 2851.**—In exercise of the powers conferred by clause (a) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby direct that the remission of the Stamp duty allowed in the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 2, dated the 29th September, 1953, shall be deemed to have taken effect from the 15th day of January 1949.

[No. 10.]

*New Delhi, the 31st August 1954*

**S.R.O. 2852.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits the whole of the stamp duty chargeable under the said Act on the instrument of lease dated the 23rd July 1954 executed in favour of the United Kingdom Government in India in respect of the premises known as 19, Aurangzeb Road, New Delhi.

[No. 11.]

**S.R.O. 2853.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby exempts the whole of the stamp duty chargeable under the said Act on the instrument of lease to be executed in favour of Norwegian Legation in India in respect of a plot of land measuring 4.323 acres in Chanakya Puri (Diplomatic Enclave), New Delhi.

[No. 12.]

M. G. MATHUR, Under Secy.

## CENTRAL BOARD OF REVENUE

### INCOMETAX

*New Delhi, the 26th August 1954*

**S.R.O. 2854.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri P. Mukherji, who has been appointed to be a Commissioner of Income-tax with effect from the 19th August, 1954 (afternoon), shall perform all the functions of a Commissioner of Income-tax in respect of the areas comprised in the State of Madras and in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority in the aforesaid area.

Provided that he shall not perform his functions in respect of such persons or such cases as have been or may be transferred by the Central Board of Revenue to any Income-tax Authority outside his jurisdictional area as aforesaid.

[No. 50.]

G. L. POPHALE, Secy.

## CORRIGENDUM

*New Delhi, the 30th August 1954*

**S.R.O. 2855.**—In the notification of the Central Board of Revenue S.R.O. 2115 (No. 38-Income-tax), dated the 26th June 1954 for the words "Shri V. Hoon" read "Shri V. N. Hoon".

K. B. DEB, Under Secy.

## CENTRAL EXCISES

New Delhi, the 30th August 1954

**S.R.O. 2856.**—In pursuance of rule 175 of the Central Excise Rules, 1944, the Central Board of Revenue hereby directs that the following further amendment shall be made in its Notification No. 9—dated the 13th May 1950, namely:—

In the Schedule to the said notification, in item 1, in column 1, for the words “who cures during one year” the words “who intends to cure in the following year” shall be substituted.

[No. 37.]

W. SALDANHA, Secy.

## CUSTOMS

New Delhi, the 4th September 1954

**S.R.O. 2857.**—In exercise of the powers conferred by the proviso to section 182 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby rescinds its notifications Nos. 66-Customs and 67-Customs, dated the 15th September 1951.

[No. 95.]

JASJIT SINGH, Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

Bombay, the 23rd August 1954

**S.R.O. 2858.**—In exercise of the powers conferred on me by sub-clause (1) of Clause 21 of the Cotton Textiles (Control) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. 9(9)-Tex.1/49, dated 27th December 1951, namely:—

In paragraph (1) of the said Notification, for entry No. (17), the following entry shall be substituted, namely:—

“(17) Furnishing Fabrics (including Tapestry).”

[No. T.C.(14)11/51.]

M. R. KAZIMI, Jt. Textile Commr.

S. A. TECKCHANDANI, Under Secy.

## MERCHANTISE MARKS

New Delhi, the 27th August 1954

**S.R.O. 2859.**—The following draft of certain amendments to the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 140, dated the 31st March 1951, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), is published as required by sub-section (4) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 29th September 1954.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

In Part II of the Schedule to the said notification after item 7, the following item shall be added, namely:—

“8 Electric Brass Lamp Holders

On the lamp holders and cartons”.

[No. 3(31)-TMP(MM)/54.]

K. N. SHENOY, Dy. Secy.

*New Delhi, the 30th August 1954*

**S.R.O. 2860.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the late Ministry of Industry and Supply, No. I(I)-4(41), dated the 7th September 1950, as amended from time to time, namely:—

To the Schedule annexed to the said Notification the following entry shall be added, namely:—

"Industrial Engineer to the Government of Orissa, Cuttack."

[No. SC(A)-4(83).]

D. HEJMADI, Under Secy.

### MINISTRY OF FOOD AND AGRICULTURE

#### FAMINE

*New Delhi, the 30th August 1954*

**S.R.O. 2861.**—In accordance with Clause (b) of Rule 3 of the Rules published with the late Department of Revenue and Agriculture No. 1616-F, dated the 25th July 1900, as amended from time to time, the Government of Punjab were pleased to appoint Sardar Jaswant Singh Uppal, Deputy Secretary to the Government of Punjab, to be a member of the Board of Management, Indian Peoples Famine Trust, to attend the meeting of the Board of Management, I.P.F.T. held on 31st March 1954.

[No. F.19-4/54-PCII.]

**S.R.O. 2862.**—In accordance with Clause (b) of Rule 3 of the Rules published with the late Department of Revenue and Agriculture, No. 1616-F, dated the 25th July 1900, as amended from time to time, the Government of Rajasthan were pleased to appoint Shri Samrathe Raj, R.A.S., Relief Commissioner-cum-Secretary to the Government of Rajasthan, to be a member of the Board of Management, Indian People's Famine Trust vice Shri L. L. Joshi with effect from 26th March 1954.

[No. F.19-4/54-PCII.]

A. N. BERY, Dy. Secy.

#### ORDER

*New Delhi, the 28th August 1954*

**S.R.O. 2863.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XIV of 1946), the Central Government hereby directs that the Wheat (Manufacture of Fines) (Prohibition) Order, 1954, published under S.R.O. No. 468, dated the 6th February 1954, as amended from time to time, shall stand cancelled with effect from the 4th September 1954.

[No. PYII-656(16)/54.]

S. N. BHALLA, Dy. Secy

### MINISTRY OF HEALTH

*New Delhi, the 27th August 1954*

**S.R.O. 2864.**—The following draft of certain rules, which it is proposed to make in exercise of the powers conferred by section 16 of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (21 of 1954), is published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the 28th November 1954.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be duly considered by the Central Government.

**DRAFT**

**1. Short title and commencement.**—(1) These rules may be called the Drugs and Magic Remedies (Objectionable Advertisements) Rules, 1954.

(2) They shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

**2. Definitions.**—In these rules, unless the context otherwise requires—

(1) “the Act” means the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (21 of 1954); and

(2) “section” means a section of the Act.

**3. Provisions of section 3 to apply to other diseases and conditions.**—The provisions of section 3 shall apply to the publication of all or any advertisements relating to drugs in terms which suggest or are calculated to lead to the use of such drugs for the diagnosis, cure, mitigation, treatment or prevention of the diseases or conditions specified in the Schedule hereto annexed as they apply to any advertisements relating to drugs for the treatment of the diseases and disorders mentioned in that section.

**4. Procedure to be followed in prohibiting import into, and export from, India of certain advertisements.**—(1) If the Customs Collector has reasons to believe that any consignment contains documents of the nature referred to in section 6, he may, and, if requested by an officer appointed for the purpose by the Central Government, shall detain the consignment and dispose it of in accordance with the provisions of the Sea Customs Act, 1878 (VIII of 1878), and the rules made thereunder, and shall also inform the importer or exporter of the order so passed:

Provided that if the importer or exporter feels aggrieved by any order passed by the Customs Collector under this sub-rule and makes a representation to him within one week of the date of receipt of the order and gives an undertaking in writing not to dispose of the consignment without the consent of the Customs Collector and to return the consignment when so required to do by the Customs Collector, the Customs Collector shall pass an order making over the consignment to the importer or exporter, as the case may be:

Provided further that before passing any order under this sub-rule or under the first proviso thereto, the Customs Collector shall consult the officer appointed for the purpose by the Central Government.

(2) If the exporter or importer who has given an undertaking under the first proviso to sub-rule (1) is required by the Customs Collector to return the consignment or any portion thereof, he shall return the consignment or portion thereof within ten days of receipt of the notice.

**5. Manner in which advertisements may be sent confidentially.**—(1) All documents containing advertisements relating to drugs, referred to in clause (c) of sub-section (1) of section 14, shall be sent by post to a registered medical practitioner or to a wholesale or retail chemist confidentially in sealed covers. Such documents shall bear at the top, printed in indelible ink in a conspicuous manner, the words “For the use only of registered medical practitioners or a hospital or a laboratory” and shall not advance any claim on behalf of such drugs as being a cure for the diseases, disorders and conditions specified in or under the Act.

(2) Any wholesale or retail chemist receiving documents containing advertisements relating to drugs under sub-rule (1) shall maintain a register showing particulars of every such document received, the name of parties from which it was received and the names of the registered medical practitioners or hospital or laboratory to whom or to which it was distributed. The register shall at all reasonable times be open to inspection by such persons as may be authorised in this behalf by the State Government under section 8 and shall be preserved for a period of three years from the date of the disposal of such documents.

**6. Procedure to be followed in obtaining previous sanction of the Government for publishing an advertisement.**—Any person intending to obtain the previous sanction of the Government to publish any advertisements under clause (d) of sub-section (1) of section 14 shall make an application to such officer as may be authorised by the Central Government or the State Government, as the case may be in this behalf and every such application shall mention the registered name and the trade mark of the drug, its detailed composition and any special reasons

justifying the sanction of the Government and shall be submitted by the officer aforesaid to the Central Government or, as the case may be, to the State Government for sanction.

#### THE SCHEDULE

(See rule 3)

- Alcoholism.
- Alopecia.
- Amenorrhoea.
- Ankles, diseased.
- Appendicitis.
- Arteriosclerosis.
- Artery troubles.
- Arthritis.
- Baldness.
- Barber's rash.
- Blindness.
- Blood disease.
- Blood pressure, Hypertension or hypotension.
- Blood poisoning.
- Bright's Disease.
- Cancer.
- Cataract.
- Convulsions.
- Deafness.
- Delayed Menstruation.
- Dermatitis (all forms).
- Diabetes.
- Diphtheria.
- Disorders of the Prostatic Gland.
- Disseminated Sclerosis.
- Dropsy.
- Ears (any structural or organic defect of the auditory system).
- Epilepsy.
- Erysipelas.
- Eyes (any structural or organic defect of the optical system).
- Fits.
- Female bust-alteration in structure of.
- Females diseases (in general).
- Fevers (in general).
- Fungus infection.
- Gallstones, Kidney stores. Bladder stones.
- Gangrene.
- Gastric & Duodenal ulcers.
- Glaucoma.
- Goitre.
- Heart diseases.
  - Height or tallness—increase of.
- Hydrocele.
- Impetigo.
- Infantile paralysis.
- Influenza.

Insanity.  
 Insomnia (chronic or persistent).  
 Kidneys, diseases of.  
 Leprosy.  
 Leucoderma.  
 Lockjaw.  
 Locomotor Ataxia.  
 Lupus.  
 Menopausal ailments.  
 Obesity.  
 Osteo-arthritis.  
 Paralysis.  
 Plague.  
 Pleurisy.  
 Pneumonia.  
 Poliomyelitis.  
 Prolapse.  
 Purpura.  
 Pyorrhoea.  
 Rheumatism (chronic or persistent).  
 Rheumatoid arthritis.  
 Rupture.  
 Scarlet Fever.  
 Sexual Impotence.  
 Slimming, weighting reducing.  
 Small pox.  
 Squint.  
 Sycosis.  
 Spinal Meningitis.  
 Sterility.  
 Trachoma.  
 Tuberculosis.  
 Tumours.  
 Typhoid Fever.  
 Ulcers, duodenal, gestic, pyloric, stomach.  
 Uterus, functions and disorders of.  
 Varicose veins.

[No. F.10-4/54-DS.]  
 KRISHNA BIHARI, Under Secy.

### MINISTRY OF REHABILITATION

New Delhi, the 20th August 1954

**S.R.O. 2865.**—In exercise of the powers conferred by Section 12 of the Displaced Persons (Claims) Supplementary Act, 1954 (12 of 1954), the Central Government hereby directs that the following amendments shall be made in the displaced Persons (Verification of Claims) Supplementary Rules, 1954, published with the notification of the Government of India in the Ministry of Rehabilitation, No. S.R.O. 407, dated the 29th January 1954, namely:—

In the said Rules—

(1) after rule 19, the following rule shall be inserted, namely:—

“19A. Substituted service in case of untraceable claimants.—(1) Where a notice or order served on any claimant under rule 19 is returned

undelivered before the date fixed for hearing, or where the Settlement Officer or Revising authority is satisfied that there is reason to believe that the notice or order cannot be served in the manner provided, in rule 19, the Settlement Officer, or the Revising Authority as the case may be shall order the notice or order to be served on the claimant by notice in Form E published in a newspaper circulating within the area in which the claimant is stated to have resided or to be carrying on business according to the address given in the claim file of such claimant. A copy of the notice shall also be served by affixing a copy thereof in some conspicuous place in the office of the Chief Settlement Commissioner at (Metcalfe House), Delhi, and also in the office of the officer hearing the claim. Such notice shall contain the name and address of the claimant, the index number of the claim, the place, time and date of hearing and the name and designation of the officer hearing the claim.

- (2) The date fixed for hearing the claim shall not be less than sixty days from the date on which the notice in Form E is first published in the newspaper.
- (3) A notice in Form E may be addressed to one or more claimants.
- (4) Where service of a notice or order is substituted by an order of the Settlement Officer, or a Revising Authority, under this rule, such service shall be as effectual as if it had been made on the claimant personally.
- (5) Where a claimant fails to appear either in person or through an authorised agent before the officer hearing the claim on the date fixed for hearing in response to the notice served upon him under this rule, the claim shall be determined *ex parte*.” and

(2) after Form D, the following Form shall be, inserted, namely:—

#### FORM 'E'

[See rule 19A(1)]

*Notice under rule 19A of the Displaced Persons (Verification of Claims)  
Supplementary Rules, 1954*

Whereas the claimant/claimants described in the Table annexed here to is/are untraceable and a notice/notices cannot be served on him/them in the manner laid down in rule 19, notice is hereby given that the claim of such claimant/claimants will come up for verification/revision before the officers mentioned in column 4 of the said Table on the date and at the time and place specified in column 5 thereof;

Now, therefore, it is hereby ordered that unless the claimant/claimants concerned appears/appear in person or through an authorised agent on the date and at the time and place of hereing before the officers concerned along with the evidence, documentary or otherwise, on which they propose to reply his/their claim/claims shall be determined *ex parte*:—

TABLE

Name and address of the claimant/claimants	Index number of the claim.	For verifica-tion or revision	Name & designa-tion of the officers hearing the claims.	Date, time, & place of hearing.
1	2	3	4	5

(Signature of the) Settlement Officer or Revising Authority.

[No. 23(1) SB/54.]  
L. J. JOHNSON, Dy. Secy.

## MINISTRY OF TRANSPORT

## MERCHANT SHIPPING

New Delhi, the 27th August 1954

**S.R.O. 2866.**—In exercise of the powers conferred by section 21 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby directs that the following further amendments shall be made in the Rules to regulate the grant of Certificates of Competency to Masters and Mates in the Mercantile Marine published with the notification of the Government of India in the Ministry of Transport No. S.R.O. 1965, dated the 12th June 1954, namely:—

In the said Rules:—

1. In rule 1 for the words “300 tons” wherever they occur the words “300 tons net tonnage” shall be substituted.

2. For the first paragraph of rule 17 the following shall be substituted, namely:—

“17. Certificates of Service.—A person who has attained the substantive rank of Lieutenant in the Indian Navy and is able to prove seven years sea service may apply for the grant of a Certificate of Service as Master of a foreign-going ship without examination. This Certificate will not entitle the owner to go to sea as Master or Mate of a home trade ship.”

3. For rule 18 the following rule shall be substituted, namely:—

“18. Examination of Indian Naval Personnel.—

(a) Master (foreign-going) and Master (home trade).—Indian Naval Officers holding, or eligible for the grant of a Certificate of Service as Master (foreign-going), may be admitted to the examination for a Certificate of Competency as Master (foreign-going) without taking the examination for the lower grade certificates. Officers not eligible for a Certificate of Service but who under the provisions of sub-rule (c) of this rule obtain a Certificate of Competency as Second Mate (foreign-going) or Mate (home trade) may have their service re-assessed and those who have performed the overall service necessary to qualify for admission to the examinations for Master (foreign-going) or Master (home trade) may be admitted immediately to these examinations.

(b) Where an officer claims that he is eligible for the grant of a Certificate of Service as Master (foreign-going), the application for admission to the examination, together with relative papers, should be submitted to the Chief Examiner of Masters and Mates for a decision as to whether the application may be accepted.

(c) Second Mate (foreign-going) or Mate (home trade).—Service as an executive officer in sea going ships of the Indian Navy may be accepted at full rate towards the four years qualifying service required for admission to the examination for Second Mate (foreign-going) or Mate (home trade), but before a certificate can be issued officers must have performed qualifying service in Merchant Ships as follows:—

(i) for Second Mate (foreign-going) either 12 months in foreign-going vessels or 18 months in the home trade; or

(ii) for Mate (home trade) 12 months in merchant ships.

(d) Indian Naval Officers who have completed four years qualifying sea service in the Indian Navy but have not performed any sea service in Merchant Navy may be admitted to the examinations, and, if successful, they will be given a letter stating that they have passed the examination. Certificates will not, however, be issued until the prescribed periods of Merchant Navy service have been completed.

(e) Service performed by Deck Ratings on sea going ships of the Indian Navy may be accepted at two-thirds rate towards the qualifying period of four years' sea service, but no rating may be admitted to the examination until he has completed the qualifying service in merchant ships as follows:—

(i) for Second Mate (foreign-going) either 12 months in foreign-going vessels or 18 months in the home trade; or

(ii) for Mate (home trade) 12 months in merchant ships.

(f) The applications of officers and ratings wishing to be examined should be made, if on the Active List, through their Commanding Officers, and if on half-pay direct to the Commander-in-Chief, Indian Navy, who will, in either case, forward the applications to the Director General of Shipping.”

4. In rule 27, the penultimate paragraph namely, "A candidate who possesses evidence of sea service" shall be deleted.
5. In rule 65 under the heading "2-First Mate (foreign-going)" for the words "(3) Ship Construction" the words "(3) Ship Construction and Stability" shall be substituted.
6. In clause (b) of sub-rule 2 of rule 124 the word "mechanical" shall be inserted before the word "logs".
7. For paragraph (a) of Appendix B the following shall be substituted namely:—

"(A) PORTS WHERE SIGHT TESTS ARE HELD IN INDIA.

A list showing the ports at which sight tests are held in India and the days of examination is given below:

Bombay—Any working day.

Calcutta—Any working day.

Madras—By appointment.

Cochin—By appointment.

A candidate who wishes to have his sight tested should apply, in the first place, to any one of the Principal Officers, Mercantile Marine Department, Bombay, Calcutta and Madras, or the Surveyor-in-Charge, Mercantile Marine Department, Cochin."

[No. 104-M.A.(12)/48.]

S. K. GHOSH, Dy. Secy.

**MINISTRY OF RAILWAYS**

(Railway Board)

New Delhi, the 31st August 1954

**S.R.O. 2867.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby directs that the following amendments shall be made in the Vizagapatam Port Rules and Scales of Rates, published with the notification of the Government of India in the late Department of Commerce, No. 222-P&L(19)/31(1), dated the 23rd September, 1933, the said amendments having been previously published as required by sub-section (2) of the said section, namely:—

In the said Rules—

(1) rules 19 to 59 shall be omitted,

(2) immediately before the heading—"1) Use of fires and lights", the following heading and rule shall be inserted, namely:—

“(kl) Repairs to Vessels while in wet docks at Vizagapatam Port

59A. If any repairs are undertaken when a vessel is alongside a berth and in the course of such repairs it becomes necessary to open up any of the overside pipes, such pipes shall be rendered safe by being blanked off. If an overside pipe cannot be blanked off and rendered safe, then it shall not be opened up in the port. The Master or the Officer-in-Charge of the vessel and the owners of the vessel shall be held responsible for any accident that may arise from neglect to take these precautions and for all liabilities that may arise as a result of the accident.”;

(3) after rule 65, the following heading and rules shall be inserted, namely:—

“65A. Licensing of Stevedores at the Port of Vizagapatam

- (a) The Port Conservator shall, from year to year, issue licences to certain approved firms and individuals, granting them permission to perform the work of stevedoring vessels in the port and no stevedore shall be allowed to work on board any vessel in the port unless he is holding such licence.
- (b) The Port Conservator may, after giving the licensee an opportunity of being heard and for reasons to be recorded in writing, cancel suspend any such licence.

- (c) On receipt of an application from a stevedoring firm for a licence to work in the Vizagapatam Port, the licensing authority will inform the Stevedores Association on the receipt of the application and invite objections, if any, to the grant of the licence. If any objections are received, they will be considered on their merits. The decision of the licensing authority will be final and no reasons can be demanded for granting or not granting the licence. Every licensed stevedore shall engage labour only from a pool of registered workers formed by the port, unless no registered pool worker is available.
- 65B. No licence to work in the port shall be issued to any stevedore who shall not undertake to employ, and every licensed stevedore shall have in his permanent employment, such minimum staff as may be specified by the Port Authority from time to time. At least one experienced Tindal shall be in charge of the work of each gang working in each hold who shall supervise the loading or unloading, including the slinging or unslinging of cargo at each hatchway at which loading or unloading is being carried on. It shall also be the duty of the Tindal when work is stopped for the day or night, to search and satisfy himself that no one is remaining in the hold. Whenever a vessel is working cargo in the between-decks alone, it shall be the duty of a supervisor or foreman to see that the between-deck hatchways that are provided with cross beams and fore and aft beams have all such beams fixed in their proper places and that the hatches are properly put on before commencing work. The taking off and putting on the beams and hatches shall not be done except under the supervision of supervisor or foreman who shall also see that persons keep out of danger on deck and do not stand under any hoist. A signalman shall be posted on deck to see that the crane chain is not taken out of the square of the hatchway and that the hook does not catch the coamings.
- 65C. Cargo shall not be discharged, loaded or shifted in any vessel in the port except under the directions and superintendence on board such vessel of the Master or owner of the vessel or of a stevedore licensed by the Port Conservator to perform such work in the Port."

[No. 984-T.G.]

*New Delhi, the 1st September 1954*

**S.R.O. 2868.**—In exercise of the power conferred by section 146 of the Indian Railways Act, 1890 (IX of 1890), the Central Government hereby extends the whole of the said Act, except section 135 thereof, to the Khatauli-Asa Tramway.

[No. 642-T.G.]

S. K. GUHA,

Joint Director, Traffic (General).

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### MINISTRY OF PRODUCTION

*New Delhi, the 31st August 1954*

**S.R.O. 2869.**—In exercise of the power conferred by sub-section (4) of section 13 of the Coal Mines (Conservation and Safety) Act, 1952 (XII of 1952), the Central Government hereby specifies the Secretary of the Coal Board to be an Officer who may also exercise the powers conferred on the Inspector by sub-sections (2) and (3) of the said section.

and Safety) Act, 1952 (XII of 1952), Chief Mining Engineer and Member

[No. 25-CI(24)54.]

A. NANU, Dy. Secy.

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### REGISTRAR JOINT STOCK COMPANIES

*Jullundur, the 19th August 1954*

#### NOTICE UNDER SECTION 247 (4)

In the matter of Indian Companies Act VII of 1913 and R. B. Gopal Das & Sons Limited (in liquidation)

**S.R.O. 2870.**—Whereas R. B. Gopal Das & Sons Limited, Kangra, was brought under voluntary liquidation on the 28th August 1948 and Shri Rattan Chand Chawla, Advocate was appointed its voluntary liquidator. The liquidator did

not file the annual statements of accounts with the Registrar for the last several years and in reply to communications addressed by this office the liquidator and the chairman of the company stated that the liquidation proceedings could not start in the absence of account books of the company which were left in Pakistan. There is therefore reasonable cause to believe that no liquidator of the company is acting and accordingly a notice under section 247 (4) of the Indian Companies Act 1913 is issued that at the expiration of three months from the date of the notice the name of aforesaid company will, unless cause is shown to the contrary, be struck off the register and the company will be dissolved.

[No. 6553.]

DES RAJ NANDA,  
Asstt. Registrar, Joint Stock Companies, Punjab.

*Madras, the 18th August 1954*

PURSUANT TO SECTION 172(2)

In the matter of Indian Companies Act, 1913 and The Madras Electric Tramways (1904) Ltd.

**S.R.O. 2871.**—It is hereby notified that the High Court of Judicature at Madras has by an order dated 20th day of January 1954 in O.P. No. 419 of 1953 directed that the Madras Electric Tramways (1904) Ltd., be wound up by the said Court under the provisions of the Indian Companies Act, VII of 1913.

*Madras, the 20th August 1954*

NOTICE PURSUANT TO SECTION 247(5)

In the matter of the Indian Companies Act, 1913, and The New Times Limited

**S.R.O. 2872.**—With reference to the notice dated 26th April 1954 published on page 996 of Part II, Section 3 of the *Gazette of India*, dated 15th May 1954, the above company not having shown cause to the contrary within the time fixed, the name of the company has, under section 247(5) of the Indian Companies Act, 1913, been struck off the register.

V. V. RANGANATHAN,  
Asstt. Registrar, Joint Stock Companies, Madras.

*Patna, the 20th August 1954*

In the matter of the Indian Companies Act VII of 1913 and Rajendra Vigyan Mandir Ltd.

**S.R.O. 2873.**—Whereas, in pursuance of sub-sections (1) & (2) of section 247 of the Indian Companies Act two letters were issued to the Managing Director of the Rajendra Vigyan Mandir Ltd., Machuatoli (Patna), a duly registered and incorporated company under the Act, but no reply thereto, has been received, I do hereby give notice under section 247 (3) of the Act that the name of the company will, unless cause is shown to the contrary, be struck off the register at the expiration of three months from the date of this notice.

[No. 630.]

In the matter of the Indian Companies Act VII of 1913 and Alo Chaya Ltd.

**S.R.O. 2874.**—Whereas in reply to a letter dated 12th June 1953 issued to the Managing Director of the Alo Chaya Ltd., "Anjali", Fraser Road, Patna-1, a duly registered and incorporated company under the Indian Companies Act, 1913, it is reported *inter alia* that the company is not functioning and the business has been closed for good, I do hereby give notice under section 247 (3) of the Act that the name of the company will, unless cause is shown to the contrary, be struck off the register at the expiration of three months from the date of this letter.

[No. 615.]

S. P. SINHA,  
Registrar, Joint Stock Companies, Bihar, Patna.

Tiruchirappalli, the 20th August 1954

NOTICE PURSUANT TO SECTION 247(5)

In the matter of the Indian Companies Act 1913 and Mani Film Corporation Ltd.

S.R.O. 2875.—With reference to the notice dated 27th April 1954 published on page 997, Part II Section 3 of the *Gazette of India* dated 15th May 1954, the above Company not having shown cause to the contrary within the time fixed, the name of the Company has, under Section 247(5) of the Indian Companies Act 1913, been struck off the register.

Tiruchirappalli, the 26th August 1954

NOTICE PURSUANT TO SECTION 247(3)

In the matter of the Indian Companies Act 1913 and the Karur Hand Looms Ltd.

S.R.O. 2876.—Whereas communications addressed to the above named company at its registered office were returned undelivered by Post Office;

And whereas it appears accordingly that the abovenamed company is not carrying on business or is not in operation;

Notice is hereby given pursuant to section 247(3) of the Indian Companies Act 1913, that unless cause is shown to the contrary before the expiration of three months from the date of this notice, the name of the said company will be struck off the register and the said company will be dissolved.

S. ALAGIRISWAMY CHETTIAR,  
Asstt. Registrar, Joint Stock Companies, Tiruchirapalli.

Bombay, the 20th August 1954

In the matter of the Indian Companies Act VII of 1913 and of the Union Commercial Timber and Trading Company Limited

S.R.O. 2877.—Notice is hereby given pursuant to Sub-Section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Union Commercial Timber and Trading Company Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 7022.]

In the matter of the Indian Companies Act VII of 1913 and of the Somanath and Sons Limited

S.R.O. 2878.—Notice is hereby given pursuant to Sub-Section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Somanath and Sons Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 6705.]

Bombay, the 23rd August 1954

In the matter of the Indian Companies Act VII of 1913 and of the Shivaji Motor Transport Co. Ltd.

S.R.O. 2879.—Notice is hereby given pursuant to Sub-Section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Shivaji Motor Transport Co. Ltd., has this day been struck off the Register and the said Company is hereby dissolved.

[No. 7213.]

*Bombay, the 24th August 1954*

In the matter of the Indian Companies Act VII of 1913 and of the  
R.M. D.C. Limited

**S.R.O. 2880.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the R.M. D.C. Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 5141.]

*Bombay, the 25th August 1954*

In the matter of the Indian Companies Act VII of 1913 and of the  
Paramount Traders Limited

**S.R.O. 2881.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Paramount Traders Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 6742.]

In the matter of the Indian Companies Act VII of 1913 and of the  
P. J. Film Unit Limited

**S.R.O. 2882.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the P. J. Film Unit Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 7118.]

*Bombay, the 26th August 1954*

In the matter of the Indian Companies Act, VII of 1913 and of the Associated Educational Films Limited

**S.R.O. 2883.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Associated Educational Films Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 7164.]

*Bombay, the 27th August 1954*

In the matter of the Indian Companies Act VII of 1913 and of the Shyam Film Exchange Limited

**S.R.O. 2884.**—Notice is hereby given pursuant to Sub-Section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Shyam Film Exchange Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 5000.]

In the matter of the Indian Companies Act VII of 1913 and of the Zinda Chemical Works Limited

**S.R.O. 2885.**—Notice is hereby given pursuant to Sub-Section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Zinda Chemical Works Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 4246.]

Bombay, the 28th August 1954

In the matter of the Indian Companies Act, VII of 1913 and of the Gowardhan Printers & Publishers Ltd.

S.R.O. 2886.—Notice is hereby given pursuant to section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Gowardhan Printing & Publishers Ltd. will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 5877.]

In the matter of the Indian Companies Act VII of 1913 and of the Bombay Segree Manufacturers Association Limited

S.R.O. 2887.—Notice is hereby given pursuant to section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Bombay Segree Manufacturers Association Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 8278.]

Bombay, the 30th August 1954

In the matter of the Indian Companies Act VII of 1913 and of the United Crushers Limited

S.R.O. 2888.—Notice is hereby given pursuant to sub-section (5) of section 247 of the Indian Companies Act VII of 1913 that the name of the United Crushers Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 6809.]

In the matter of the Indian Companies Act VII of 1913 and of the Filmways Limited

S.R.O. 2889.—Notice is hereby given pursuant to sub-section (5) of section 247 of the Indian Companies Act VII of 1913 that the name of the Filmways Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 7906.]

In the matter of the Indian Companies Act VII of 1913 and of the Indulabs Limited

S.R.O. 2890.—Notice is hereby given pursuant to sub-section (5) of section 247 of the Indian Companies Act VII of 1913 that the name of the Indulabs Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 6593.]

(Sd.) M. V. VARERKAR,  
Registrar of Companies, Bombay.

Calcutta, the 24th August 1954

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Skating Club of Calcutta Ltd.

S.R.O. 2891.—Notice is hereby given that the name of Skating Club of Calcutta Ltd. of 3/B, Outram Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Godagari Rice Mills Ltd.

S.R.O. 2892.—Notice is hereby given that the name of Godagari Rice Mills Ltd. of 35, Chittaranjan Avenue, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Pioneer Hosiery & Mills Ltd.

**S.R.O. 2893.**—Notice is hereby given that the name of Pioneer Hosiery & Mills Ltd. of 272B, Upper Chitpur Road, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Matiabruz Peoples Bank Ltd.

**S.R.O. 2894.**—Notice is hereby given that the name of Matiabruz Peoples Bank Ltd. of Matiabruz, 24-Parganas has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Farmers Bank Ltd.

**S.R.O. 2895.**—Notice is hereby given that the name of Farmers Bank Ltd. of 22, Strand Road, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Calcutta Modern Bank Ltd.

**S.R.O. 2896.**—Notice is hereby given that the name of Calcutta Modern Bank Ltd. of 1, Raja Gurudas Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Macrutton & Co. Ltd.

**S.R.O. 2897.**—Notice is hereby given that the name of Macrutton & Co. Ltd. of P-19, Ganesh Chandra Avenue, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Calcutta Advertising Agency Ltd.

**S.R.O. 2898.**—Notice is hereby given that the name of Calcutta Advertising Agency Ltd. of 3/1, Mangoe Lane, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Shree Nursingsahay Mudungopal (Hardware) Ltd.

**S.R.O. 2899.**—Notice is hereby given that the name of Shree Nursingsahay Mudungopal (Hardware) Ltd. of 55-58, Ezra Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of All Bengal Lorry Owners' Association

**S.R.O. 2900.**—Notice is hereby given that the name of All Bengal Lorry Owners' Association of 3/5, Rajmohan Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Nuddea Industrial & Agricultural Co. Ltd.

**S.R.O. 2901.**—Notice is hereby given that the name of Nuddea Industrial & Agricultural Co. Ltd. of 22, Canning Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Western Bengal Minerals Ltd.

**S.R.O. 2902.**—Notice is hereby given that the name of Western Bengal Minerals Ltd. of 1B, Old Post Office Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of<sup>\*</sup> the Indian Companies Act, 1913 (VII of 1913) and in the matter of Hindusthan Fisheries Ltd.

**S.R.O. 2903.**—Notice is hereby given that the name of Hindusthan Fisheries Ltd. of Gobardanga, 24-Parganas has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Khar & Co. Ltd.

**S.R.O. 2904.**—Notice is hereby given that the name of Khar & Co. Ltd. of 6, Mission Row, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Sree Siddhasakti Research Laboratories Ltd.

**S.R.O. 2905.**—Notice is hereby given that the name of Sree Siddhasakti Research Laboratories Ltd. of 1/1B, Raja Basanta Roy Road, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Eastern Transport Corporation Ltd.

**S.R.O. 2906.**—Notice is hereby given that the name of Eastern Transport Corporation Ltd. of 29, Waterloo Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Gopalnagar Agricultural Development Ltd.

**S.R.O. 2907.**—Notice is hereby given that the name of Gopalnagar Agricultural Development Ltd. of Asansol, Burdwan has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Sun Chemical Works Ltd.

**S.R.O. 2908.**—Notice is hereby given that the name of Sun Chemical Works Ltd. of 2, Tangra 2nd Lane, Calcutta has this day been struck off the Register and that the Company is dissolved.

In the matter of the Indian Companies Act, 1913 (VII of 1913) and in the matter of Sports Industries Ltd.

**S.R.O. 2909.**—Notice is hereby given that the name of Sports Industries Ltd. of 63, Dharamtola Street, Calcutta has this day been struck off the Register and that the Company is dissolved.

B. P. ROY,  
Registrar of Companies, West Bengal.

Shillong, the 27th August 1954

In the matter of the Indian Companies Act, 1913 and in the matter of the North Lakhimpur Bus Syndicate Ltd.

**S.R.O. 2910.**—Notice is hereby given pursuant to section 247(3) of the Companies Act, 1913 that at the expiry of three months from this date, the name of the North Lakhimpur Bus Syndicate Ltd., of Lakhimpur North, will, unless cause is shown to the contrary, be struck off the Register of Companies and the Company will be dissolved on the ground that it is not doing any business and is not in operation.

[No. 2212-14J.S.]

P. BORA,  
Asstt. Registrar, Joint Stock Companies, Assam.

*Coimbatore, the 26th August 1954*

NOTICE UNDER SECTION 247(5)

In the matter of the Indian Companies Act, 1913 and E. V. Paddu Limited

S.R.O. 2911.—With reference to the notice dated 1st May 1954 published on page 999 of the *Gazette of India*, Part II, Section 3, dated 15th May 1954, the above company not having shown cause to the contrary within the time fixed, the name of the company has, under Section 247(5) of the Indian Companies Act, 1913, been struck off the register.

R. SRINIVASAN,

Asstt. Registrar, Joint Stock Companies, Coimbatore.

*Kozhikode, the 26th August 1954*

NOTICE PURSUANT TO SECTION 247(3)

In the matter of the Indian Companies Act, 1913 and S'India Produce and Liasions Company (India), Limited

S.R.O. 2912.—Whereas communications addressed to S'India Produce and Liasions Company (India) Limited remain unanswered; and

Whereas it appears accordingly that S'India Produce and Liasions Company (India) Limited is not carrying on business or is in operation;

Notice is hereby given pursuant to Section 247(3) of the Indian Companies Act, 1913, that unless cause is shown to the contrary before the expiration of three months from the date of this notice, the name of the said company will be struck off the register and the said company will be dissolved.

K. K. SYED MOHAMMAD,

Asstt. Registrar, Joint Stock Companies, Kozhikode.

*Salem, 29th August 1954*

NOTICE PURSUANT TO SECTION 172(2)

In the matter of the Southern Metals and Alloys Limited

S.R.O. 2913.—It is hereby notified that the High Court, Madras, has by an order, dated 28th July, 1954 in O.P. No. 293 of 1950 directed that the Southern Metals and Alloys Limited be wound up in the said court under the provisions of the Indian Companies Act VII of 1913.

A. J. AZARIAH,

Asstt. Registrar of Joint Stock Companies, Salem.

*Patiala, the 17th August 1954*

PURSUANT TO SECTION 247 (3) OF INDIAN COMPANIES ACT, 1913

In the matter of the Kapurthala Dayal Bagh Stores Ltd.

S.R.O. 2914.—Whereas the undersigned has reasonable cause to believe that the above named company, was neither carrying on business nor in operation, notices under section 247(1) and 247(2) were issued to them with a view to make an enquiry; and

Whereas an intimation from the Company has been received to the effect that it is no longer carrying business or in operation;

It is, therefore notified that after the expiration of three months from the date hereof, the name of the said company will, unless cause is shown to the contrary, be struck off the register of Companies maintained in this office and the Company will be dissolved.

PARAMJIT SINGH,

Registrar, Joint Stock Companies, Patiala.

Nellore, the 23rd August 1954  
NOTICE PURSUANT TO SECTION 247(3)

In the matter of the Indian Companies Act 1913 and the Jyothsna Limited

**S.R.O. 2915.**—Whereas the company has not replied to any of the office letters dated 18th June 1954 and 23rd July 1954 addressed to the company *viz.*, Jyothsna Limited at its registered office whether the company is carrying on any business or in operation.

And whereas it appears accordingly that the company “Jyothsna Ltd.” is not carrying on any business or in operation notice is hereby given pursuant to Section 247(3) of the Indian Companies Act 1913 that unless cause is shown to the contrary before the expiration of three months from the date of this notice the name of the said company will be dissolved.

[No. 205K.]

M. CHELAPATHI RAO NAIDU,  
Asstt. Registrar, Joint Stock Companies, Nellore.

### MINISTRY OF LABOUR

New Delhi, the 25th August 1954

**S.R.O. 2916.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Dhanbad, in the matter of an application under section 33A of the said Act from Shri Hiralal Das, Loading Superintendent, Religara Colliery.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD APPLICATION No. 415 OF 1953

(arising out of Reference No. 6 of 1952)

In the matter of an application U/s 33A of the Industrial Disputes Act 1947

#### PRESENT

Shri L. P. Dave, B.A., LL.B.—Chairman.

#### PARTIES

Shri Hiralal Das, Loading Superintendent, Religara Colliery, P.O. Argada, Dist. Hazaribagh—Complainant.

Vs.

Messrs. Karanpura Mining Syndicate, Religara Colliery, P.O. Argada. Dist. Hazaribagh—Opposite Party.

#### APPEARANCES

Shri K. L. Paul, Pleader, Dhanbad—For the Complainant.

Shri D. Basu Thakur, Solicitor and Shri D. N. Gupta, Chief Personnel Officer, Messrs. Bird and Co., P.O. Sijua, Dist. Manbhum—For the Opposite Party.

#### AWARD

This is a complaint under section 33A of the Industrial Disputes Act.

2. The complainant, who was working as a Loading Superintendent in the Religara colliery of the opposite party, alleged that the opposite party dismissed him on 13th August 1953, during the pendency of Reference 6 of 1952 without the permission of this Tribunal and thereby committed a breach of section 33 of the Industrial Disputes Act.

3. The opposite party contended *inter alia* that the complainant was not a workman; that he failed to ensure proper loading and that his dismissal was proper.

4. After the hearing of the case had proceeded to some extent, the parties entered into a compromise, and requested that an award should be passed accordingly. A memorandum of the compromise is attached herewith. In my opinion, the terms therefore are fair and reasonable.

5. I therefore pass an award in terms of the compromise.

The 12th August 1954.

(Sd.) L. P. DAVE, Chairman,  
Central Government's Industrial Tribunal, Dhanbad.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

Chairman—Sri L. P. Dave

APPLICATION No. 415 of 1953

H. L. Das—Applicant.

Vs

Karanpura Mining Syndicate, Religara Colliery—Opposite Party.

The humble petition of both the parties.

Most respectfully sheweth:—

1. That in the above matter both parties have come to an amicable settlement as follows:—

- (a) That the company shall pay to the applicant Sri H. L. Das Rupees four hundred and Ten only over and above the notice pay which has already been offered.
- (b) That the applicant will also get his privilege leave benefit which he has earned upto 7th August 1953.
- (c) That the company will retain Rupees one hundred and ten only out of Rupees four hundred and ten which will be paid to H. L. Das on his leaving the Company's quarter by 31st December 1954.
- (d) The said H. L. Das further undertakes to leave the quarter on or before 31st December 1954.
- (e) That H. L. Das accepts the discharge of his service and have no further claim against the company.
- (f) That if and when occasion for appointing new man comes in any colliery other than Religara, applicant's case will be considered by the Management if found suitable.

In the circumstances it is humbly prayed—that an award be made on the above terms.

And for this Act of kindness your petitioner as in duty bound shall ever pray.  
(Sd.) D. BASU THAKUR, Solicitor, Orr Dignam & Co.

The 12th August 1954.

(Sd.) K. C. PAUL, Pleader.

(Sd.) D. N. GUPTA, C.P.O.

(Sd.) HIRA LAL DAS.

Filed.

(Sd.) L. P. DAVE, Chairman,  
Central Government's Industrial Tribunal, Dhanbad.

The 78th August 1954.

[No. LR-2(365)/(2).]

S.R.O. 2917.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Dhanbad, in the matter of an application under section 33A of the said Act from Shri Magju Nunia, a workman of West Ramkanali Colliery.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

APPLICATION No. 287 of 1953

(arising out of Reference No. 6 of 1952)

In the matter of an application U/s 33A of the Industrial Disputes Act 1947

PRESENT

Shri L. P. Dave, B.A., LL.B.,—Chairman.

PARTIES

Shri Magju Nunia of West Ramkanali Colliery, P.O. Katrasgarh, Dist. Manbhum C/o Koyala Mazdoor Panchayat, P.O. Jharia—Complainant.

Vs.

The Manager, West Ramkanali Colliery, P.O. Katrasgarh, Dist. Manbhum—Opposite Party.

## APPEARANCES

- Shri S. K. Sharma, Vice-President, Koyal Mazdoor Panchayat, Jharia,  
Dist. Manbhum—*For the Complainant.*
- Shri Jitendra Chandra Sen Gupta, Manager, West Ramkanali Colliery, P.O.  
Katrashgarh, Dist. Manbhum—*For the Opposite Party.*

## AWARD

This is a complaint under section 33A of the Industrial Disputes Act.

2. The complainant alleged that the opposite party terminated his services during the pendency of Reference 6 of 1952 without the permission of this Tribunal; and thereby committed a breach of section 33 of the Industrial Disputes Act. He therefore prayed for re-instatement from the date of discharge. The opposite party opposed the complaint.

3. At the hearing, the parties produced before me a memorandum of compromise entered into by them, and requested that an award should be passed accordingly. I have gone through the compromise and also the record of the case and am satisfied that the compromise is fair and reasonable.

4. I therefore pass an award in terms of the compromise, copy of which is attached herewith.

*The 9th August 1954.*

(Sd.) L. P. DAVE, Chairman,  
Central Government's Industrial Tribunal, Dhanbad.

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL (CENTRAL) DHANBAD

## APPLICATION No. 287 OF 1953

Magju Nunia of West Ramkanali Colliery, P.O. Katrasgarh, Dist. Manbhum  
—*Applicant.*

Vs.

The Manager, West Ramkanali Colliery, P.O. Katrasgarh Dist. Manbhum—  
*Opposite Party.*

## PETITION OF COMPROMISE

The humble petition on behalf of both the parties above-named.

Most respectfully sheweth:—

That both the parties have amicably settled up the dispute on the following Terms:

- (a) That the opposite party has agreed to re-instate the applicant Magju Nunia on and from the date he joins in the colliery of the Opposite Party within a month from date.
- (b) That the applicant denies to have made illicit distillation and undertakes not to do any such act in the colliery premises in future.
- (c) That the Opposite Party agrees to give to the applicant a sum of Rs. 60 (sixty) by way of relief.

In the circumstances it is prayed that the above matter may kindly be disposed off accordingly.

And for this they will pray.

*The 9th August 1954.*

(Sd.) MAGJU NUNIA.

(Sd.) S. K. SHARMA, Vice-President,  
Koyal Mazdoor Panchayat

(Sd.) J. C. SEN GUPTA, Manager,  
West Ramkanali Colliery.

*The 9th August 1954.*

[No. LR-2(365)/(3).]

New Delhi, the 26th August 1954

**S.R.O. 2918.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Dhanbad, in the matter of an application under section 33A of the said Act from Shri Jhansi Passi, a workman in the Loyabad Colliery.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

APPLICATION No. 57 OF 1954

(arising out of Reference No. 6 of 1952)

In the matter of an application U/s 33A of the Industrial Disputes Act 1947

PRESENT

Shri L. P. Dave, B.A., LL.B.—Chairman,

PARTIES

Jhansi Passi, Hammerman, Loyabad Colliery, P.O. Bansjora, Dist. Manbhum  
—Complainant.

Vs.

Messrs. Burrakur Coal Co. Ltd., Loyabad Colliery, P.O. Bansjora, Dist.  
Manbhum—Opposite Party.

APPEARANCES:

Shri Jhansi Passi, Hammerman, Loyabad Colliery, P.O. Bansjora, Dist.  
Manbhum—Complainant in person.

Shri D. N. Gupta, Chief Personnel Officer, M/s. Burrakur Coal Co. Ltd.,  
Loyabad Colliery, P.O. Bansjora, Dist. Manbhum—For the Opposite  
Party.

AWARD

This is a complaint under section 33A of the Industrial Disputes Act.

2. The complainant alleged that the opposite party dismissed him on 20th July 1953, during the pendency of Reference 6 of 1952 without permission of the Tribunal, and thereby contravened the provisions of Section 33 of the Industrial Disputes Act. Other workers who were similarly dismissed along with him filed a complaint (Application No. 236 of 1953) before this Tribunal under section 33A of the Industrial Disputes Act and an award was passed in their favour. The petitioner was then indisposed and had gone to his native village and hence could not file a complaint along with others and hence the delay in making the complaint.

3. The opposite party raised a preliminary objection that the complaint was filed after an unreasonable delay and should therefore be dismissed. In my opinion, this objection must be upheld.

4. As I said above, the complainant has filed this complaint under section 33A of the Industrial Disputes Act on the allegation that the opposite party committed a breach of section 33 by dismissing him during the pendency of Reference 6 of 1952. Section 33 prohibits an employer *inter alia* from dismissing a workman during the pendency of proceedings before a Tribunal without the permission of the Tribunal. Sections 33A lays down that if an employer contravenes the provisions of section 33, an aggrieved workman may make a complaint about it to the Tribunal. This section does not lay down in express terms the time during which the complaint under that section should be made. But it does not give a right to an aggrieved workman to make a complaint after an indefinite period. It is implicit in the section that the complaint must be made within a reasonable time of the act complained of. The true position would be that a complaint under this Section must be made as far possible during the pendency of the proceedings and if it is made after such pendency, it should be made within a reasonable time. See the decision of Labour Appellate Tribunal in the case of General Motors (India) Ltd., 1954, Vol. I, L.L.J., p. 676. It is true that this was a case under section 23 of the Industrial Disputes (Appellate Tribunal) Act 1950, but that section is similar to section 33A of the Industrial Disputes Act and the principles laid down in the above case would also be applicable to the present case.

5. The award in Reference No. 6 of 1952 was published in the *Gazette of India* on 10th October 1953 and hence under Section 20(3) read with Section 17A of Industrial Disputes Act the proceedings in that case must be deemed to have concluded from 10th November 1953.

6. The present complaint is filed on 15th May 1954. The complainant was dismissed on 20th July 1953. The proceedings in Reference 6 of 1952 concluded from 10th November 1953. In other words, the present complaint is filed more than six months after the pendency of the proceedings was over, and about ten months after the act complained of. There has thus been unreasonable delay in filing the complaint.

7. It may be noted that some other workmen working with the complainant had been dismissed along with him. They filed a complaint (Application No. 236 of 1953) before this Tribunal, and an award was passed on 5th January 1954, ordering their reinstatement. The complainant has alleged that he was "indisposed" at that time and had been to his native village, and that is why he could not file a complaint along with others. There is no evidence in support of these allegations. The above complaint was filed and heard in 1953; and the award therein was passed on 5th January 1954. The present complaint is filed more than four months after this.

8. It may also be noted that the present complainant had filed a complaint (No. 102 of 1953) before this Tribunal in respect of his dismissal on 1st June 1953. He was subsequently re-instated on 18th June 1953, with payment of wages for the period of idleness. The complaint therefore did not survive and was disposed of 2nd January 1954. The complainant was thus aware that he could file a complaint before this Tribunal regarding his dismissal; and yet he did not do so for a very long and unreasonable time. His complaint must therefore fail.

9. Before closing, I may mention that I was informed at the hearing by Mr. Gupta that the complainant has already been given a job by the management. The complainant admitted this. He however said that the job given to him was temporary and did not carry the same wages as his old job. In view of the fact that the complainant fails on the ground of delay and the fact that the complainant's co-workers, who had been dismissed along with him, have been ordered to be re-instated in their old jobs, I would appeal to the management to consider the case of the complainant sympathetically.

10. As it is, the complaint fails and is dismissed. I pass my award accordingly.

(Sd.) L. P. DAVE, Chairman,

Central Government's Industrial Tribunal, Dhanbad.

*The 13th August 1954.*

[No. LR-2(365).]

*New Delhi, the 28th August 1954*

**S.R.O. 2919.—**In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the New India Assurance Company, Ltd., and their workmen at Calcutta.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA**

20/1, Gurusaday Road, Ballygunge, Calcutta-19.

**PRESENT**

Shri C. Bhaktavatsalu Naidu, B.A., B.L.—*Chairman.*

**REFERENCE NO. 14 OF 1953**

**BETWEEN**

**The Employers in relation to the New India Assurance Company, Limited,**

**AND**

**Their workmen at Calcutta.**

**APPEARANCES**

Shri D. L. Sen Gupta, Advocate, assisted by Shri N. R. Mazumdar, President, and Shri Sainen Ghosh, Secretary, New India Assurance Co. Ltd. (Calcutta Office) Employees' Union.

Shri P. P. Ginwala, Bar-at-Law, instructed by Shri K. P. Mukherjee, Solicitor of M/s. Khaitan & Co. and Shri B. R. Modi, Branch Manager, Calcutta.

## AWARD

By order No. LR-90(164), dated 28th October 1953 of the Government of India in the Ministry of Labour the industrial disputes between the employers in relation to the New India Assurance Company, Limited and their workmen at Calcutta, in respect of matters specified in the Schedule annexed to the said order, has been referred to this Tribunal for adjudication. The Schedule sets out the following seven items of dispute:

## SCHEDULE

1. Classification of employees and refixation of grades and scales of pay and the method of fitting the workmen into the new scales.
2. Appointment to higher grades by promoting workmen in lower grades.
3. Dearness allowance.
4. House rent.
5. Implementation, with retrospective effect, of revised scales of pay, dearness allowance, etc.
6. Provident Fund.
7. Gratuity.

2. Usual notices having been issued to the parties on 3rd November 1953, the New India Assurance Co. Ltd. Calcutta Office Employees' Union filed a statement of claims on 23rd November 1953 along with 11 annexures. The New India Assurance Co. Ltd., Bombay, filed a written statement on 21st December 1953 in which are set out no less than 17 tables. Both the statement of claims and the written statements are in two parts. The first part sets out the contentions of a general nature and in the second part details are given as regards the several points of dispute set out in the Reference. I shall first set out the respective contentions of the parties on the general aspects. The contentions as regards each of the demands will be set forth as and when I consider, *sciatim*, the several points for adjudication.

3. In the statement of claims the Employees' Union alleges that the company is the biggest and the most prosperous composite insurance company in the whole of Asia, transacting both life and general insurance business in and outside India. A reference is made to the statements made by the company in its published latest prospectus in the second and third cover pages as well as in pages 1, 2 and 4 with a view to point out that the New India Assurance offers matchless security and service in all fields of insurance; that the surplus as could be seen from the results of the periodical actuarial valuations of the assets and liabilities of the company has been progressively increasing, so much so a Reversionary Bonus of Rs. 9 per thousand sum assured on Endowment Policies and Rs. 11 per thousand sum assured on Whole Life Policies has been declared; and that the life business of the company grew at an unprecedented rate and the large capital and fund totalling over Rs. 20 crores at the end of 1951 testifies to a guarantee of its future stability and strength. It is also stated that the renewal expense ratio of the company has all along been much below the limitation of expenses under the Statute which was largely due to the efficiency and increased workload of the employees and inadequate rate of wages.

4. The Employees' Union also sets out the life premium income in 1949, 1950, 1951 and 1952 together with the expense ratio in each of the years and states that while the first year's renewal premium has substantially increased year after year, the ratio of renewal expenses increased from 12·1 per cent. to 13·1 per cent. in 1950 while it remained at 13 per cent. in 1951 and increased to 14·8 per cent. in 1952. The reason for the abrupt increase in renewal expense ratio in 1952 is said to have been stated by the Chairman of the company Shri A. D. Shroff in his speech on 24th June 1953 to be due to the switch over of the organization from special agency basis to paid basis and to the setting up of a new country wide organization. The Union points out that the high cost of organization was absent in the years previous to 1952 and was absolutely temporary for the year 1952 and that the company's administration is so top heavy and otherwise extravagant that it has got no parallel in the trade and is absolutely without justification; and that though the company's renewal expenses are still within the statutory limits the employees are groaning under the pressure of under-wage and acute poverty. It is also pointed out that the renewal premium income increases year to year but that since 1948 onward the number of employees in the company's Calcutta office is almost static except for some unnecessary and unwarranted high salaried appointments, thus increasing the workload of the employees enormously. As

regards general business of the company it is stated that it is indisputably the best of its kind having the largest Indian general insurance premium income and its financial position is the best of all Indian companies and can favourably be compared with any of the best foreign companies as well. It is further pointed out that the Calcutta branch of the company controls and manages all the units like Calcutta, Asansol, Jalpaiguri, Shillong, Dacca, Chittagong and Rajshahi so far as life business is concerned and manages in addition two other units Jamshedpur and Patna so far as general business is concerned and that it has further to serve subsidiary companies like South India Insurance Company Ltd. and the National Security Life Assurance Company Ltd. as guarantor. It is also stated that the statutory limitation of expenses in the Insurance Act is no bar to the fixation of fair wages of the employees and that there is no limitation to the expenses over the staff. From these circumstances it is pointed out that the company being a composite insurance company is in a position to allocate expenses and apportion them between its Life and General as is thought best suited by the management and as a result is stationed in an unique position as regards expenses and has unique capacity to pay and therefore the company is a class by itself and its employees are entitled to the living wage as contemplated in the Fair Wage Committee's report.

5. The Union also states that it was organized and registered in the year 1946 having Shri Bhupendra Chandra Mazumdar as the founder Secretary of the Union who was the fore-runner of the movement of the employees in the Calcutta office. It is also stated that the company though placed in a very favourable financial position never cared to minimize exploitation of the employees and there is no justice or fairplay in recruitment or promotion. The Union also sets out that the employees sent a representation on 12th August 1946 to have some of the pressing grievances of the workmen redressed and in the same year the Bombay employees submitted a charter of demands on 18th July 1946. In view of this agitation the company is said to have reluctantly conceded for the first time in January 1947 the present grade and scales of pay and introduced major portion of the rules and regulations on service conditions now obtaining in the company. It is also stated that though at the end of 1950 the price of essential commodities shot up in an unprecedented manner, Shri B. K. Shah, the General Manager of the company refused to increase the emoluments even by Re. 1. After the submission of the charter of demands by the Union on 19th January 1951 a niggardly increase in dearness allowance was given in October 1951: and in view of a charter of demands as per the letter of the Union dated 17/19th January 1951 no amicable settlement was possible and on failure of conciliation by the Conciliation Officer (Central), the Ministry of Labour referred the dispute relating to 11 items for adjudication by Shri K. S. Campbell-Puri, Chairman, Central Government Industrial Tribunal at Calcutta.

6. After the reference was obtained Shri B. K. Shah, the General Manager and Shri M. N. Choksey, Deputy General Manager came over to Calcutta by the end of December 1951 and opened negotiations with the representatives of the Union. The Management wanted some more time for effecting overall change in the basis of remuneration as the General Manager was of the opinion that "the solution of the over-all problem facing the employees does not lie in minor changes here and there rather it lies in a basic structural change of a far reaching character and that such a solution though difficult is not impossible." The General Manager having addressed a meeting of the staff of the Calcutta branch on 4th January 1952 and having told the representatives of the Union that an immediate change in the basis of remuneration of a far reaching character was coming soon, the Union relying upon these assurances withdrew from the said Tribunal by a joint application signed by the representatives of the company and the Union dated 17th January 1952. It is stated that inspite of best efforts to reach a settlement

of the assurance of the company nothing was received by the employees stipulated period or at any time thereafter. In spite of another assurance by Shri B. R. Modi, Branch Manager, company's Calcutta Branch, on 16th January 1952 and further direct negotiations, nothing tangible was achieved till on 2nd December 1952 a plan was handed over to the representatives of the Union, but the same was rejected by the Union, as the reply given by the Union was unsatisfactory, unreal and evasive. It is further stated that on 2nd January 1953 a fresh charter of demands was submitted to the General Manager, National Security Life Assurance Company Ltd., Bombay, but that the

The dispute was referred to the Conciliation Officer in the instance of the Conciliation Officer and on the position V. H. Vora on certain items such as staff insurance, leave rules, bonus, hours, security of service, etc. the Union revised the original charter of and the only points that remained unsettled are those which are set out

in the schedule to the order. It is further stated that a fresh conciliation was held as per letter dated 11th July 1953 of the Regional Labour Commissioner, Calcutta, but inspite of best efforts of Government no amicable settlement could be reached. It is also pointed out that the bogey of expense ratio is an exploded theory and cannot be advanced in the name of statute to defeat the legitimate and pressing claims of the workmen.

7. The general contentions as set out in the written statement of the company are as follows: The company is one of the big insurance units in India and Asia but the size of its operation and the resources it commands are still considerably smaller than those of the leading British companies. The surplus of periodical actuarial valuations consists mainly of extra premium paid by the policy holders and it is not a trading profit as it is sought to be made out by the Union. The

is a natural phenomenon in life insurance and this progressive quantum of surplus and the rate of bonus to the policy holders is not co-related with the profitability of the life insurance business. The rapid progress of New India in various branches of insurance has been due to the far sighted and progressive policy of the Board of Directors in creating a vast network of branches and agencies in India and in foreign countries, and the progress achieved by the New India was in line with the progress achieved by the representative Indian and British Insurance Companies. The renewal expense ratio, by which standard is to be judged, the cost position of the Life Department has been steadily rising since 1948 and it is incorrect to assume or assert that the lower renewal expense ratio in the past years was primarily due to the efficiency and increased workload of the employees or inadequate rate of wages.

8. The expense of a life insurance company are of three types:

- (i) (a) Expenses on agents, special agents and Chief Agents;
- (b) Expenses on other field workers who are responsible for the supervision and productivity of the agents;
- (ii) Expenses on staff, supervisory officers and executives who are responsible for the smooth administration and for servicing the policy holders and all types of field workers;
- (iii) Miscellaneous expenses like rent, stationery, postage, medical fees, etc.

Overhead expenses do not increase during expansion proportionately and the company's terms are most generous in the industry as could be seen from tables 5, 6 and 7. The Life Department of a composite office is subject to some statutory restrictions as a life insurance company and the funds are held in trust by the Directors on behalf of the policy holders of the company and hence this peculiar feature should not be lost sight of. Rise in the renewal expense ratio of the company has been due to causes beyond the control of the management. The switch over process of the remuneration of the field organization from commission basis to paid basis was a gradual one and was completed in 1952. The resulting increase in expenditure is not as much as the Union has tried to show. It is sought to be made out from Table 10 that the bulk of increased cost is due to the increased remuneration paid to the staff. The increase in the remuneration of the staff is equivalent to 2½ per cent. of the premium income of the Branch. The comparatively large increase in the expense on officers is partly due to increase in the number of officers required to administer the business and partly due to the change in the basis of remuneration from commission to a fixed salary. The renewal expenses consist partly of renewal commission and partly of other expenses including those of the staff. The overhead cost referred to in the speech of the Chairman pertain not only to the development personnel but also to those of the servicing personnel consisting of the Branch Secretaries and the members of the clerical and subordinate staff. The allegations regarding the violation of the statute is entirely baseless when the company is doing its very best to enforce the Code of Conduct in the spirit it has been framed by the Executive Committee of the General Insurance Council. The company has always adhered highest standards of integrity and if there had been any manipulation would have been noticed and brought to light by the company's auditor the Controller of Insurance.

9. Though the pleadings were complete by 3rd December 1953 and the into the dispute was posted to commence on 18th January 1954 the actual of the case could not be commenced till 7th June 1954 due to certain proc regarding discovery and inspection of documents of the management by the The enquiry commenced on 7th June 1954 and was concluded on 9th July Three witnesses were examined on behalf of the workmen and two witnesses examined on behalf of the employers. A number of documents were filed on side and they were marked as Exhibits A to WW and Exs. 1 to 17(2)

enquiry the Union was represented by Shri D. L. Sen Gupta, Advocate, assisted by Shri N. R. Mazumdar, President and Shri Sainlen Ghosh, Secretary of the Employees Union and the employers were represented by Shri P. P. Ginwala, Barr-at-Law assisted by Shri K. P. Mukherjee of M/s. Khaitan & Co., Solicitors, and Shri B. R. Modi, Branch Manager.

10. Before dealing with the several points of dispute which form the subject matter of this Reference I would like to advert at some length relating to the discovery and inspection of documents. The filed a petition on 13th January 1954 for inspection of certain records of the company. This petition was opposed by the employers. After hearing arguments an order for production and inspection of documents was passed on 6th February 1954 and it was directed that inspection should be completed by the end of the month of February. The date of hearing was tentatively fixed on 17th March 1954 but inspite of a letter of the Union dated 10th February 1954 inspection was not given as directed and the company by letter dated 22nd March 1954 expressed their unwillingness to allow inspection of the documents and their decision to file an appeal against the order of this Tribunal. An appeal appears to have been filed against the order for inspection and it is probably still pending but cannot be considered effective in view of what transpired subsequently. In view of this attitude of the employers the Union filed on the 1st March 1954 a petition before this Tribunal for the passing of an interim award by granting interim relief at Rs. 20 flat in the case of each member of the clerical staff per month and Rs. 15 flat in the case of each member of the sub-staff with effect from January 1954. This petition was opposed by the employers and they filed an objection statement on 20th March 1954. The hearing on this petition was fixed for 2nd April 1954. In the meantime on 16th March 1954 a petition was filed by the employers offering to file a list of documents on which they rely upon and to give inspection of the same. The employers also suggested the appointment of competent auditors to look into the accounts and submit a report. This petition was heard on 31st March 1954 and the petition for interim relief was heard on 2nd April 1954. At the time of the enquiry the employer's advocate represented that his clients had no objection to give inspection of such of the documents which are relevant so that the final adjudication may be proceeded with. On 9th April 1954 it was found that some steps had been taken to give inspection of the documents. The advocate for the Union however represented that the employers were not earnest in giving inspection but that they were trying to evade. Thereupon an order was passed directing the Union to have inspection of all documents and records which management were willing to disclose and giving opportunity to the Union at the end of one week to approach the Tribunal for orders regarding documents of which inspection had not been given. The main enquiry as well as the enquiry on the petition for interim relief were adjourned to 3rd May 1954. In the meantime a petition was filed on 26th April 1954 by the employees' union regarding inspection of documents. When the matter came up for hearing on 3rd May 1954 the employees took up the stand that they were not bound to give inspection of the accounts maintained at the head office at Bombay and stated that if the documents were specified they would consider if they could give inspection of the same. A detailed order in respect of this was therefore passed on 4th May 1954. Thereafter on 17th May 1954 an order was passed by consent to the effect that inspection should be given at Bombay of the head office account books and documents from 18th May 1954 onwards. Accordingly inspection was given on certain documents and account books but not of account books relating to 1953. On 25th May 1954 an order was passed directing the Bombay head office to give inspection of account books of 1953 to Union representatives before the 31st May 1954. The enquiry was fixed for 7th June 1954. In the meantime a petition was filed on 28th May 1954 to issue summons to the trustees of the New India Assurance Company Ltd. Staff Provident Fund under section 18 of the Industrial Disputes Act and to add them as parties. Notices were issued to the employers and the trustees of the Staff Provident Fund. An objection statement was filed by the employers but the trustees of the Staff Provident Fund though served did not file any statement. The objection of the Union was eventually disallowed on 9th June 1954 as it was found unnecessary to add the trustees as parties to the dispute.

11. The enquiry having commenced on 7th June 1954 the Union opened the case and offered to file some documents and also a number of charts prepared by them on the basis of inspection. On the adjourned date of hearing viz. 11th June 1954 it was represented by the employers' advocate that there were several mistakes and inaccuracies in the charts and that some more time would be required to check them with reference to several registers. The employers did not also accept the correctness of basis of calculation in regard to some charts. After hearing the parties the employers were directed to prepare and file objection statements showing in what manner the several charts were incorrect or inaccurate

or cannot be relied upon. The Union was directed to correct or amend their charts in the light of the objection statements and for this purpose they were given facilities to inspect account books etc. wherever necessary. The employers were also asked to prepare and file their own charts according to the basis which they consider to be correct and the hearing of the case was finally adjourned to 24th June 1954.

12. As a result of the combined efforts of the Union and the employers it was found possible to have the revised charts prepared by the Union confirmed by the employers subject however to comments made by the employers with reference to each of these charts. The charts have been marked as Exhibits J to LL and Ex. NN and Ex. OO. The comments of the employers have been marked as Ex. 8 series. These documents taken together do afford some evidence regarding a few aspects of the case which the Union desired to place before this Tribunal for coming to a proper conclusion on the questions in dispute. .

13. Item No. (1).—*Classification of employees and re-fixation of grades and scales of pay and the method of fitting the workmen into the new scales.*—As regards classification of employees the Union demands that 45 per cent. of the clerks should be put in grade A and no direct recruitment should be made in that grade. It is claimed that A grade should include (a) Graduates in 'B' Grade who have had atleast 2 years experience, (b) 'B' Grade clerical employees who have put in 7 years' service in the company and/or have atleast 10 years' experience in the Insurance line, (c) those clerks who are engaged in receiving and disbursing monies, (d) those typists who serve as stenographers, (e) those clerks who have special qualifications in any branch of Insurance and (f) all other categories who may be deemed fit for Grade 'A' on merit. It is also claimed that Caretaker, Typists, Electrician and Drivers should be put in Grade 'B'; that Graduates or persons having special qualifications in any branch of insurance should be appointed with two increments in Grade 'B' and Postgraduates and Double Graduates should be appointed in the said grade with three increments. That Intermediates should be appointed with one increment in Grade 'B' and that Cash Peon, Jemadar, Cycle-Peon and Electric Mistry should be given two additional increments in Sub-Staff Grade. So far as re-fixation of grades and scales of pay are concerned, it is stated that the present Grades viz.,

'A' Grade—Rs. 120—10—200—15—305.

'B' Grade—Rs. 70—7—175—10—205.

Sub-Staff Grade: Rs. 30—2—60.

without any efficiency bars should be revised as under:—

'A' Grade: Rs. 160—10—230—15—320—20—400—25—450.

'B' Grade: Rs. 110—8—150—10—200—15—290—20—350.

Sub-Staff Grade: Rs. 65—3—80—4—100—5—150.

Caretaker, Electrician and Driver's Grade: Same as 'B' Grade.

14. As regards the method of fitting in the workmen in the new scales the Union states that the adjustment of salaries of the employees will be made on the basis as if the said employees started their services in the starting of the grade to be fixed by the Tribunal in each case and in the case of sub staff at Rs. 65 as basic salary and thereafter every employee irrespective of the category should be given one increment for every two years of past service according to the revised rates of increment for the purpose of determining their present basic pay and if the wage so determined does not exactly fall in any increment slab they should be put to the next higher slab in the grade. It is also stated that the employees who shall be classified in company's Class II service shall be fitted in the next stage of the scale of the said Staff Assistant Grade.

15. The case of the employers in regard to this item of dispute is set out at pages 13 to 16 of their written statement. Their contention is that comparison of scales of pay with those obtaining in foreign companies is not proper as foreign companies confine their activities to selected places and to certain sections of the community only whereas the Indian companies including New India cater for all sections of the community all over the country and as such the average sum assured per policy of the foreign companies is much higher than that of the Indian companies. It is therefore stated that the comparison should be made only with the scales of remuneration payable by Indian Insurance Companies as shown in tables 5, 6 and 7. It is also pointed out that life insurance business is distinct from other commercial enterprises in that whereas most of the commercial concerns are benefitted from the greater turnover of business during the Second World War and succeeding years resulting in increase in

profits, the resources of life insurance companies were strained considerably as a result of substantial decline in yield on investments and unprecedented increase in the cost of goods and services so much so life insurance companies were obliged to declare reduced rates of bonus to the participating policy holders and some companies had to pass-over one or two valuations without declaring bonus. It is further pointed out that the insurance industry has to comply with several statutory restrictions regarding investment of funds, Triennial Valuations instead of Quinquennial Valuations, payment of hereditary commission to the heirs of the deceased agents etc., as a result of which there was increase in the expenses of management and reduction in the sources of profits. It is also stated that the present scales of remuneration are the highest in the insurance industry and in view of the increase in the renewal expense ratio from 9.1 per cent. in 1946 to 14.8 per cent. in 1952, there is practically no margin left for bearing any further strain.

16. It is also contended that reclassification of employees as suggested by the Union is not practicable having regard to the nature of duties and the qualifications required for the same. The company refutes the allegation that there is no efficiency bar in the present scales and refers to the circular letter which was sent at the time of the introduction of the scales in 1946. As regards fitting in the workmen in the new scales the company states that the point to point adjustment in the case of clerical staff or the suggested adjustment in the case of sub-staff is not practicable in view of the additional financial burden involved. It is pointed out that the scales of remuneration and the conditions of service as a whole obtaining in the company being the best in the insurance industry there is no case for revision thereof.

17. Before discussing the oral and documentary evidence that has been placed before me in regard to this item, I would like to briefly set out the history of the dispute which led up to this Reference. The employees of the company at Calcutta formed themselves into a union in 1946 and also joined into a federation viz. the Insurance Office Association of Bengal. The Union sent a representation to have some of the then existing grievances of the workmen redressed on 12th August 1946. There was also a charter of demands on behalf of the Bombay employees on 18th July 1946. It is seen from Ex. 4, which is a circular letter of the Branch Manager of the Company at Calcutta Branch, dated 14th February 1947 that salary grades finally sanctioned and settled by the Board of Directors were introduced with effect from 1st September 1946. This circular letter also made mention of the rate of dearness allowance, leave facilities, retirement age and hours of work. As apparently the employees were not satisfied with the scales of pay etc., there was further agitation on behalf of the employees and the Union along with other 11 insurance companies' employees placed their charter of demands as on 17/19 January 1951 but as the grievance of the employees were not redressed they were obliged to approach the conciliation machinery. Conciliation having failed the Government referred the dispute to the Central Government Industrial Tribunal at Calcutta by an Order dated 28th November/4th December 1951.

18. Subsequently the General Manager of the company Shri B. K. Shah came down to Calcutta accompanied by Shri M. N. Choksey, Deputy General Manager on or about 2nd January 1952 and opened negotiations with the Union. At the negotiations Shri B. R. Modi, the Branch Manager, and Shri S. K. Choudhury, Life Secretary and Shri C. L. Khaitan were present while the Union was represented by Shri N. R. Mazumdar, President and Shri Sailen Ghosh, Secretary. There were also some other executive members of the Union present. The General Manager is said to have during the negotiations told the Union Members that some substantial improvement in the salary scale and other terms of employment would be made if the employees did not press the matter before the Tribunal. The matter was placed before the Executive Committee of the Union and it was thought that the general body members of the Union should also be consulted. The General Manager was requested to address the general body members and accordingly the General Manager met the Members and delivered a speech on 4th January 1952, a copy of which has been marked as Ex. A (1). In this speech the General Manager expressed the opinion that the main problem was the betterment of the condition of the common man and it was primarily a problem of production and then a problem of distribution. He told the members that "the solution of the overall problem did not lie in minor changes here and there but it lay in a basic structural change of a far reaching character which could be achieved only by going into the question of higher production and better efficiency". He also expressed the view that an adjudicator cannot improve upon the terms offered by a company "whose eyes and ears are always

open and were well aware of your difficulties". He also said that "it was going to be his endeavour to do his utmost to work out a plan capable of yielding higher production and better efficiency thus enabling the company to make far reaching structural changes in terms of employment".

19. Thereupon the Union decided to withdraw from the adjudication and filed memorandum before the Tribunal a copy of which has been marked as Ex. A to which was annexed the General Manager's policy statement just referred to. The Memorandum was signed by the President and the Secretary of the Union as well as by Shri B. R. Modi, the authorized Attorney of the New India Assurance Company Ltd. In this Memorandum it is stated that as the Union felt that the management will lay before the employees the plan envisaged in the policy statement of the General Manager by 31st May 1952 there existed a fair chance of a reasonable and satisfactory settlement of the question concerned in the dispute by agreement among the parties and therefore requested permission of the Hon'ble Court to have the name of the Union removed from the adjudication proceedings. Accordingly the Union withdrew from the adjudication and were eagerly looking forward for the implementation of the plan envisaged in the policy statement. The correspondence that ensued between the Union and the management is marked as Ex. B Series.

20. I think it will be useful to set out at this stage a gist of the correspondence so that one could have a clear picture of the manner in which the management tried to implement the promise made in the speech of the General Manager and the ultimate result of negotiations that took place between the Union and the management regarding the bringing into being a plan envisaged in the said speech. In reply to a letter of the Union dated 16th February 1952 the Manager of the company wrote on 29th February 1952 to the effect that the matter in its various aspects would be gone into fully by the General Manager when he visited Calcutta in the middle of March. On 14th May 1952 the General Manager expressed regret that he was not able to devote sufficient attention to the matter on account of his illness and that as soon as his plans were ready he proposed to send for two members who could assist him to discuss the plans with him. By letter dated 30th May 1952 from the Manager of the company the Secretary of the Union was informed that the proposals had been more or less finalized and this will be considered by the Board of Directors during the course of next month. On 11th July 1952 the Union sent an express telegram enquiring about the actual position. On 12th July 1952 the General Manager wrote to the President of the Union to the effect that the various staff problems were under active consideration and that the Board of Directors had decided upon 3 claims viz. (1) New India Mutual Benefit Society, (2) Medical Relief Scheme, and (3) Holiday home. In this letter it is also stated that the managements were actively working out the overall programme and as soon as it was finalized it would be communicated to the representatives of the staff. To this a reply was sent by the President of the Union on 16th July 1952 expressing pleasure at the decisions relating to the new schemes and keenly awaiting details thereof. A reference is made to the time limit till 31st May 1952 for finalization of the overall programme for a structural change and the President while expressing his view that it would have been better if the proposals had been finalized within a much shorter time wished God speed to the General Manager's endeavour to finalise the overall programme. On 24th July 1952 a letter was addressed by the Manager Shri V. H. Vora to the President of the Union enclosing a copy of the General Manager's Announcement embodying brief outline of the staff welfare scheme. It was also mentioned in that letter that the General Manager was out of Bombay and that as soon as the details of the overall programme were finalized the same would be communicated to the Branches. The letter dated 29th July 1952 by the Secretary of the Union to the General Manager referred to the discussions over the welfare schemes and to the proposed contribution on behalf of the employees of Rs. 1,001 for the Mutual Benefit Fund Scheme. By the letter dated 6th August 1952 the General Manager acknowledged with thanks the receipt of Rs. 1,001 to the Mutual Benefit Fund. In the letter of the Union to the General Manager dated 8th September 1952 the General Manager was reminded of the promise made in the letter dated 12th July 1952. On 12th September 1952 the Deputy General Manager informed the President of the Union that the General Manager was out of India and nevertheless the matter was receiving his active consideration. On 16th October 1952 the Branch Manager Shri B. R. Modi conveyed to the President of the Union the assurance of the Chairman through Shri T. K. Desai, Deputy General Manager that whatever promise had been made by the General Manager could be implemented on his return. On 20th October 1952 the President of the Union wrote to the Branch Manager, while expressing regret that there had been an inordinate delay in introducing the overall scheme,

agreed to wait till the General Manager returned to India so as to enable him to lay the programme before the Union.

21. Subsequent to this on 2nd December 1952 the long expected plan (Ex. C) was received by the Union. In this plan it was made clear that the management proposed to make an effort to secure a tangible improvement in *per capita* turnover and enable members to directly benefit out of the savings effected through such an increase. The first step to secure an increase was it was said to ensure sincere and efficient work by every individual for which there was substantial scope for improvement through a positive attitude and systematic regular work habits thereby resulting an increase by about 20 per cent. It is also suggested that to enable a substantial improvement it was necessary that the average working hours per annum should be gradually stepped up from 1,500 hours to 1,800 hours and that this question should be examined carefully and steps taken to attain the standard. A proposal was made to sectionalise the work at all stages and attach competent supervisors at various stages to facilitate quick disposal and a smooth flow of work which was said to enable an easy flow of work and rational controls. There is also a proposal to give an intensive training to every Assistant so that he might understand his job better and be able to do it more efficiently, efficaciously and effectively. For fulfilling this part of the plan it was proposed to attach for a year or longer if necessary, a team of head office officials who would organise a Model Office in Calcutta for imparting the training. It was proposed to set up a Committee of four members to help spontaneous reaction to the self-improvement movement. Finally it was stated that the effect of these improvements would be felt in a reduction in cost and these savings can be utilised for progressive improvement in salary scales. These improvements were visualised in three steps as regards passing on the savings to the members:

#### B Grade:

Existing Scale—Rs. 70—7—126—7—175—10—205.  
 1st stepping to—Rs. 80—7—136—7—185—10—225.  
 2nd stepping to—Rs. 90—7—146—7—195—10—245.  
 3rd & final stepping to—Rs. 100—7—156—7—205—10—275.

#### A Grade:

Existing Scale—Rs. 120—10—200—15—305.  
 1st stepping to—Rs. 130—10—210—15—330.  
 2nd stepping to—Rs. 140—10—220—15—355.  
 3rd & final stepping to—Rs. 150—10—230—15—380.

22. It was mentioned in the scheme that all savings would be utilised for attaining the first step, the increase being given in the form of an allowance and as soon as this allowance was earned consecutively for three years it was to be merged in the salary. Savings up to 66.2/3 per cent. were to be utilised to attain the second step and principle of allowance and merging was to be the same as in the first step. Savings up to 50 per cent. were to be utilised to attain the third step, the principle of allowance and merging being the same as in the first. A datum-line was also fixed as a measure. The standard for the Calcutta Division was to be as follows:

Percentage allowed on	Percentage
First Year's Premiums (Life)	.. 15%
Renewal Premiums (Life)	.. 3%
General Premiums	.. 10%

The total cost allowable at the end of the year was to be calculated on the above basis and the actual cost including Bonus etc. was to be off set against the allowable cost and the balance was to be utilised for giving effect to the scheme.

23. There were discussions on these proposals for about 3 days and the Secretary of the Union wrote a letter on 4th December 1952 to the General Manager expressing his agreement with the remark that the Union was not able to understand the real implications of the plan and noting down the ways in which they had tried to understand the major points which needed careful consideration. About 11 points were noted and it was pointed out that the writer being very complex there was scope for misunderstanding or non-understanding and therefore the points may please be clarified in writing. This letter was acknowledged by the management by their letter dated 28th January

1953 in which they set out their observations regarding the several points that were raised. Among other matters the management pointed out that the objective was to run the Branch most economically and therefore no expenditure would be incurred which will not promote the business of the region. They however stressed the view that whether a particular expenditure should be incurred or not will be judged and decided by the management. This letter was received by the Union on 31st January 1953 on which date the Executive Committee of the Union held a meeting and made comments after noting down the presumptions of the management underlying their plan which had been considered by the Union as neither reasonable nor satisfactory. As regards control over expenses the Union refused to agree to the position taken up by the management since at a time when the question of savings by the employees come from a certain quantity of money available, the control over expenses from that amount should not reasonably remain with the management, rather it should be with the employees. These comments and presumptions were forwarded by the Secretary of the Union to the Deputy General Manager along with Union's letter dated 24th February 1953. In the meantime the Secretary wrote a letter to the General Manager on 2nd February 1953 stating that the Union had no other alternative but to consider the plan as neither reasonable nor satisfactory and that therefore the Union was most reluctantly compelled to re-agitate on the issues and hence were placing a charter of demands for acceptance and implementation within a week. The charter of demands was sent as an annexure to this letter which is marked Ex. E. The matter then went for conciliation and Shri V. H. Vora placed before the Conciliator certain observations on the charter of demands marked as Ex. F. There was a reply by the President of the Union marked Ex. G and subsequently as conciliation failed the dispute was referred for adjudication.

24. The history of the dispute above referred to makes it clear that though the Union's charter of demands was made more than three years ago the employees have been unable to obtain any kind of benefit till now in spite of the promise made in the speech of the General Manager nearly one year after the charter of demands. By his speech the General Manager was enabled to successfully prevent the adjudication of the dispute by the Tribunal which was appointed at the end of November 1951. There was a withdrawal from the adjudication by a petition dated 29th January 1952. Nearly 10 months were taken to hand over to the Union the draft plan. It is no doubt true as pointed out by Shri P. P. Ginwala for the management that the plan finally handed over to the Union was in accordance with the principles fore-shadowed in the speech dated 4th January 1952. In the speech the question of higher production and better efficiency was stressed as being the only method which will enable the company to bring about the overall change in the basis of remuneration. By the plan an effort was to be made to secure a tangible increase in *per capita* turn over by making the employees work for longer hours and also to do sincere and efficient work but it has to be said as pointed out on behalf of the Union, there was no suggestion in the speech of any lukewarmness on the part of the employees which had to be converted into 'enthusiasm, initiative and effectiveness' which was hoped to be achieved by setting up a Committee of 4 members. These measures were expected to result in reduction in cost and the savings thus effected were to be utilized for progressive improvement in salary scales. Though the management did not seek to get any corresponding benefit out of the savings so far as the first stepping is concerned the Management was to get a benefit of 33 1/3 per cent. and 50 per cent. respectively in connection with the second stepping and the third and final stepping. As the improvement in salary scales was to be effected only from the savings itself it is but natural that the employees should feel that they should have some control over expenses, so that the savings may be ensured, but the letter of the management dated 28th January 1953 made it perfectly clear that this control would be entirely with the management and Union cannot have any hand in it. Hence the employees were not in a position to take advantage of the long expected plan and the result is that the employees have been kept off for a period of more than two years from realizing what they wanted to achieve as a result of their charter of demands. The employees therefore found themselves on 28th October 1953 when this Tribunal was constituted in exactly the same position in which they were on 28th November 1951 when the previous Tribunal was constituted.

25. Now turning to the merits of the demands made by the Union under this head there can be no denying the fact that the employees were having grievances from a long time. Even the speech of the General Manager shows that the

company was well aware of the difficulties of the employees and that they required to be redressed. The way in which it was going to be done by the management was not commendable to the Union hence the whole fabric of the plan had crumbled. I feel there is no use in trying to improve the plan so as to make it more acceptable to the employees. The question has therefore to be decided by examining the demands made by the employees and by determining how far it can be said to be reasonable and just.

26. The principles underlying the fixation of scale of wages of the employees in industrial or commercial establishments or employees in Banks or insurance companies have been now well settled as a result of several awards of industrial tribunals and the Labour Appellate Tribunal. Prior to 1949 there was no report on the basis of which these principles could be enunciated but with the publication of the Report of the Committee on Fair Wages in 1949 these principles began to be crystallized and formed the basis of fixation of scales of pay in the several awards of the tribunals. In the Report of the Committee on Fair Wages the concepts of a living wage prevailing in various parts of the world were summarised and there is general agreement "that the living wage should enable the earner to provide for himself and his family not merely the bare essentials of food, clothing and shelter but also a measure of frugal comfort, education for children, protection against ill health, requirements of essential social needs and a measure of insurance against the more important misfortunes including the old age". There can be no denying the fact that labour should be paid adequate living wage.

27. The Fair Wages Committee has laid down the following principles in fixing a scale of wages in paragraph 15 of the Report:

"While the lower limit of the fair wage must obviously be the minimum wage (by which is meant subsistence level), the upper limit is equally set by what may broadly be called the capacity of industry to pay. This depends not only on the present economic condition of the industry but on its future prospects. Between these two limits the actual wages will depend on a consideration of the following factors and in the light of the comments given below:

- (1) The productivity of labour,
- (2) The prevailing rates of wages in the same or similar occupations, in the same or neighbouring localities,
- (3) The level of the national income and its distribution,
- (4) The place of the industry in the economy of the country."

28. In the Buckingham and Carnatic Mills case (1951 II Labour Law Journal p. 314) the Special Bench of the Labour Appellate Tribunal in accepting the Fair Wages Committee's Report mentioned thus in paragraph 42:

"The Fair Wages Committee in dealing with the question of wages came to the conclusion that the wage of an industrial worker must be such as would enable him to have not merely the means of bare subsistence of life but also for the preservation of his efficiency as a worker. For this purpose he must have the means to provide for some measure of education, medical requirements and amenities. This is the minimum which he must have irrespective of the capacity of the industry or his employer to pay. Thus the floor level of wages is to be determined keeping in view these considerations. The upper limit of wages must be set by what may be called the capacity of the industry to pay."

29. Thus, it is seen that the fair wages are to be fixed above the subsistence wage in accordance with the capacity of the industry to pay but nevertheless limited by the four principle considerations of the Fair Wages Committee's Report which have been referred to above. As to the productivity of labour, it is considered that assessment under this head is difficult and uncertain. The Labour Appellate Tribunal in the Buckingham and Carnatic Mills case have observed as follows in paragraph 44 as regards the factor of *per capita* National income—

"The factor of *per capita* National income has somewhat remote bearing on the question of total emoluments of an industrial worker. That figure is a hypothetical figure arrived at by taking an average; that factor (*of per capita* National income) does not mean that industrial worker must have total emoluments equal to the *per capita* National income.

The National income figure may perhaps be relevant for the purpose of showing if his total emoluments is violently out of proportion to the *per capita* National income."

It follows that ultimately the main tests are:

- (1) the ascertainment of a subsistence wage, and
- (2) the fixation of a fair wage with appropriate neutralization of cost of living after taking into account the prevailing rates of wages in the same or similar occupations.

30. The decision in the Buckingham and Carnatic Mills case was dealing with the workmen of the textile industry in Madras. The same Special Bench of the Labour Appellate Tribunal gave another decision in Caitec (India) Ltd., Calcutta (reported in 1952 II Labour Law Journal p. 183). They held that "when the capacity to pay is not disputed a start must be made to raise the standard of wages to the region of fair wages and the amount thereof must be determined on scientific basis, the capacity to pay being the most patent factor". They came to the conclusion that the minimum wage at the start would be Rs. 67/8/- and fixed the starting basic wage at Rs. 80 on the basis that although Rs. 67/8/- will be considered to be the subsistence level the capacity of the concern permitted an addition of Rs. 12/8/- as a reasonable advance on the subsistence level. In coming to this conclusion the Tribunal took into consideration what Dr. Akroid laid down with reference to requirements of a manual workman. The subsistence level requirement was taken to be Rs. 5 to Rs. 6 per consumption unit at the living cost index of 100 and adopting the mean of Rs. 5/8/- the subsistence allowance for 3 consumption units of a manual workman's family was taken to be Rs. 16/8/-. Adding 40 per cent. for clothing, house rent etc. the amount was arrived at Rs. 27/8/-. Converting to 180 points of living cost index (this being the point at which the prices were expected to stabilise) the amount would come to Rs. 49/8/-. To this 80 per cent. was added in order to cover the extra allowance needed by a middle class family to which the clerks belong for their higher standard of living and requirements in comparison with workmen and the amount was arrived at Rs. 89 or nearly Rs. 90. The Labour Appellate Tribunal which decided the appeal against Sastry-award (Bank Disputes) were satisfied that 2·25 consumption units is a reasonable method of calculating the measure of a youngman's responsibility at the start. They also took the view that in the absence of any definite investigation or statistics the 1·80 co-efficient should be maintained.

31. Having so far discussed the principles on which the scales of pay have to be fixed as per the Fair Wages Committee's Report and the several decisions of the Labour Appellate Tribunal, I shall proceed to consider the objections raised by Shri P. P. Ginwala on behalf of the management in fixing the scale of wages as demanded by the Union. It is pointed out by him that the scales of wages in insurance companies should not be compared with those in commercial establishments. He also contends that for purposes of comparison foreign companies doing insurance business should not be taken into account as these companies have world wide business having branches all over the world and that they also cater to the requirements of a particular class of people in urban localities. It is also pointed that it is not the volume of business or the number of policies that has to be taken into consideration but that the average sum assured is a very important factor and the foreign companies get business for large amounts. As regards the first argument the Labour Appellate Tribunal which has decided the appeal against Sastry-award has stated that at the commencement there can be hardly any differentiation between a clerk who joins a Bank or Government service or a commercial concern. The Tribunal has also stated that there is considerable similarity between the work of a Bank clerk and a commercial concern clerk not only in the matter of account's but also in various other activities relating to trade and commerce with which the Banks are also concerned. There can be really no differentiation between the duties and responsibilities of a Bank clerk and those of a clerk employed in an insurance company or in a commercial concern. In fixing the scale of wages for Bank clerks the said Tribunal observed that it would be more realistic to take the view than that one should take into account the pay not only of Government servants, insurance companies, transport companies but also of the major and lesser commercial concerns as fundamentally these are the same type of occupation, although the elements of such occupation may vary in different concerns according to the work of the employers and the nature of the business. As regards the second point the same Tribunal has observed as follows:

"We cannot accept the argument that British Insurance Companies operating in different parts of the world pay fancy salaries because they have such large reserves. There have been adjudications as regards these

European companies in Calcutta and it is wrong to say that their wages were inflated only because of their global activities."

32. Shri P. P. Ginwala has also cautioned that great care should be taken in interfering with the existing scales of pay. He contends that an insurance company which is a credit institution where expenses are limited by Statute and where premiums have been fixed on the basis of certain expenses and not a commercial or manufacturing concern. I have already stated that no distinction could be made between a commercial or manufacturing concern on the one hand and the Banks and insurance companies on the other. As observed at pages 86-87 in Justice G. S. Rajadhakshya's award in the dispute between the Post and Telegraph Department and its non-gazetted employees, ordinarily the wages of the employees are the first charge on the receipts of a commercial or industrial concern. It is also observed as follows:

"It is altogether wrong in principle to provide a cheaper service by depressing the cost of production as a result of abnormal lowering of the wages. Such a procedure would in effect mean subsidizing the consumer at the cost of human material in the establishment of the reduced standard of living of the employees. It must therefore follow that the cost of the service of the consumer must be regulated by a fair wage to the employee."

33. What has been observed with reference to a commercial or industrial concern applies with equal force to an employee in a Bank or an insurance company. If in the case of Banks there are undisclosed or secret reserves and the law permits a banking company to exhibit its Balance Sheet in a particular manner the insurance companies are also enabled to file returns before the Controller of Insurance Companies some of which are not expected to be published. Though it has been tried to be shown that the accounts of the New India Assurance Company are above board having been audited by competent auditors, the audit report of the Calcutta branch from 1947 to 1953 were not shown for inspection presumably for the reason that if such auditor's reports are made available they might disclose circumstances which the company do not wish to lay bare. The synopsis of the inspection notes made by the Union discloses that the management failed to disclose many particulars which if available would have enabled the Union to place before the Tribunal the true state of affairs regarding the financial aspect. In respect of depreciation charged on buildings, furniture, fittings etc. for the years 1947 to 1952 it is seen that the company writes off the full value of furniture, motor cars, type-writers etc. in the year of purchase and hence the surplus shown in the accounts does not represent the correct figure.

34. It is no doubt true that the premia are fixed with reference to (1) mortality rates, (2) interest on securities, and (3) expenses, and expenses are controlled by statute in that they should not exceed 15 per cent. of the renewal premium, but it is seen that the renewal expense rate in the year 1953 was only 14·2 per cent. Shri Vera says that this was achieved as a result of economies effected by the company especially on development expense and expenses on stationery and printing. If the expenses reached the maximum and there was absolutely no margin it is not known why or how New India Assurance Company was in a position to reduce the rates of premium on 1st March 1954 before any other insurance company came forward with proposals of such reduction. I may refer at this stage to a point which has been urged on behalf of the Union viz. that the New India has been incurring extravagant expenditure with reference to travelling expenses, motor car expenses, entertainment expenses, and profit commission. The answer of the management is that if business of the company has to be expanded these items of expenditure are inevitable and that the management would be best fitted to appreciate the extent of expenditure that has to be incurred. It is also pointed out that some expenditure has to be incurred on field workers which even though does not bring in any immediate result would turn out to be profitable in the long run.

35. In fixing the scales of pay it will be necessary to take into consideration the scales of pay prevailing in the concerns working in the neighbourhood whether they be commercial or otherwise. It would also be necessary to take into consideration the scales of pay prevailing in the foreign insurance companies. As the management denies the necessary capacity to pay wages higher than what are at present obtaining it would be necessary to consider the financial position of this concern which will disclose the capacity to pay. Shri P. P. Ginwala has stated in his arguments that the benefits which are being enjoyed by the employees of the company will compensate for the lower rates initially and that therefore it should

be taken into account in fixing the scale of wages. These benefits are detailed in Ex. 5. One of the benefits is said to be the contribution by the company to the provident fund of 8 1/3 per cent. of the salary per year. The second benefit is the bonus that is being paid to the employees. The company paid a bonus of 2½ months basic salary in 1949, 1950 and 1953 and bonus of three months basic salary in 1951 and 1952. A third benefit is said to be the office canteen for the use of the staff for which the company incurs Rs. 280 per month. Another benefit is the free medical treatment to the members of the staff and free medicines. A doctor is said to attend every day in the premises and is also available free of charge for the staff to call him to visit in their houses in case of illness. The company is said to incur Rs. 650 per month on this account. Yet another benefit is the Mutual Benefit Society through which monetary grants are made to the staff. In some cases loans are given free of interest and subject to free easy re-payment. Another benefit is the claim of the gratuity benefit at the time of retirement. It is stated that the company has very generous leave rules and has introduced a scheme for encashment of leave which enables the employees to take leave and go for a change of climate. Finally, it is stated that the subordinate staff gets an additional benefit of house allowance of Rs. 7 per month. These benefits will also be taken into consideration to the extent permissible when fixing the scale of wages but it has to be observed that benefits such as, gratuity, provident fund and bonus are generally given by all concerns and no special significance can be attached to the granting of these benefits.

36. I shall now proceed to consider the financial position of the New India Assurance Company in order to ascertain if the concern has the capacity to pay higher wages. There can be absolutely no doubt about the sound financial position and stability of the company. An extract from the New India Diary for 1953 which has been marked as Ex. RR makes this perfectly clear. Ex. RR runs as follows:

"In the short space of 33 years the company has made rapid all round progress and enjoys a strong financial position. Today the New India Assurance Company is not only the biggest composite insurance company in India but is one of the leading insurance units of Asia having a world wide reputation for its sound business methods. The security offered by the New India Assurance Company is of the highest order. Its large capital and funds totalling over Rs. 20 crores at the end of 1951 is both a testimony of its past achievement and a guarantee of its future stability and strength."

37. This is also made fairly clear from the extract from the Chairman's speech (1953) marked Ex. SS. Shri V. H. Vora one of the Managers of the company at the head office who has been examined as EW. 2 has in the early part of his evidence mentioned several tests by which the sound financial position and stability of an insurance company can be judged. He states that applying these tests he would say that the New India is a sound company. According to him the New India is a composite insurance company transacting life, fire marine and miscellaneous classes of insurance business and it is a stable company as is evident from the accounts of the company for the last 34 years. In an article contributed by him to the SEVIKA of March 1954 (marked Ex. QQ) he has stated as follows:

"In the light of past experience it is safe to assume that the trend of improvement in mortality would continue in the near future. We, therefore, expect that in actual working there would be much larger margins than are actually provided. \*

The general level of interest rate has, of late, gone up considerably; the yield obtainable on medium and long dated Government Securities is now over 1·1 per cent. more than the yield which was available on similar securities in 1947. \*

In 1947 most of the Indian Life Offices were taxed on the basis of surplus disclosed at their valuations after allowing for 50 per cent. of the surplus distributed among the policy holders as a reduction in the taxable quantum. Now 80 per cent. of such surplus is allowed to be deducted. As a result of this relief, the net yield is certain to be higher in the future. \*

If the life insurance business in India is to grow to its full stature and play its rightful role in the National Economy it is imperative and vital to reduce the cost of procurement and of servicing the business. As a first step towards achieving this objective we have taken this opportunity to reduce the rates of commission and other organisational expenses under certain plans." \*

38. These observations make it perfectly clear that while the mortality rate position has been continuously improving and the interest yield is likely to be much larger, there is a possibility of bringing down the expenses by reducing the rates of commission and other organizational expenses. It is therefore futile on the part of the company to contend that the financial position of the company is such that it would be impossible to give any increase in the scales of pay or other emoluments to the employees. In view of what has been stated above it is really unnecessary to go elaborately into the several charts that have been prepared and produced on behalf of the Union.

39. I would however briefly advert to the import of these charts to give an idea of the great expansion of business and of the increase in the premium income and in the total assets and life fund of the company. I shall also refer to other charts which have been filed to show the clerical staff position, the interest rate, the wages that are being paid in foreign insurance companies and also in the Tata Sales office and other mercantile concerns in Dalhousie Square area. Certain other charts have also been filed to show the extraordinarily high expenditure that is being incurred by the New India Assurance Company in travelling, conveyance expenses, entertainment expenses, etc. These charts have been marked as Exhibits J to LL, NN and OO. The correctness of these charts has been confirmed by the management subject to their comments marked as Ex. 8 series.

40. Ex. J shows the staff position of the company's Calcutta branch Life Department from 1948 to 1953 and Ex. K shows the staff position so far as the General Department is concerned. So far as the Life Department is concerned there has been increase in the number of officers and Staff Assistants by about 150 per cent. while the clerical and sub-staff remained almost stationary. In the General Department there has been an increase in the clerical and sub-staff to the extent of about 23.94 per cent. while increase in the officers is about 50 per cent. The increase in the business in Life Department is shown to be 74.88 per cent. whereas the increase in the business in the General Department is 60.9 per cent. The answer of the management to this criticism is that there was excess staff in the Calcutta branch and that owing to efforts made to simplify the work and to the considerable improvement to the working conditions as a result of removing the office to company's own building which is air-conditioned fully and well lighted, it is possible to work the office with the staff which the company is having at present. It is further pointed out that most of the important operations concerning the life policy are being attended to at the head office and hence there is no need for a proportionate increase of staff at Calcutta. It is further pointed out that as Calcutta branch operates as a regional office for other branches and sub-branches it was necessary to have a large number of supervisory personnel termed as Staff Assistants and that therefore there has been an increase in the number of Staff Assistants who are drawn mostly from the clerical grade. As regards the General Department it is stated that the increase in the Staff Assistants is due to the technical nature of the work involved. It is also stated that most of the operations in the General Department are done at the Calcutta regional office and with the increase in work new hands have been employed.

41. Ex. L gives the total number of clerks and sub-staff, the total net premium income of Calcutta region, total expenses as per items in the statement of allocation of charges, expenses in per cent., total number of officers at Calcutta Office, expenses on officers and clerical, and subordinate staff. There is also a statement of expenses incurred in respect of entertainment, travelling expenses, motor cars and profit commission. This relates to the General Department. Ex. M is a similar statement with regard to the Life Department. The management has explained by stating that the sharp rise in the premium income is due to some extent on account of the business in Pakistan currency being valued at higher rate of exchange and also due to securing from 1951 a substantial premium income from its connections with the house of Messrs. McNeil & Berry. As regards the argument that the expenses have not proportionately increased it is explained that it is the experience of any businessman that larger the turnover the lesser the expenses. As regards the criticism that the expenses on officers has progressed while expenses on clerical and sub-staff have decreased, it is explained that the Staff Assistant's grade should not be included in the officer's category and if it is excluded there will not be any such disparity. As regards entertainment, travelling and motor car expenses it is stated that these are mere out of pocket expenses from which no officer profits and that these expenses together with profit commission amounting to 1 $\frac{1}{2}$  per cent. only of the premium income are necessary for organizing and servicing business.

42. Ex. N is intended to show the growth of business in the Life Department and Ex. O gives details of business in different branches and Ex. P shows the

renewal premium income in Life Department of the New India as a whole and that of the area serviced by the Calcutta office. It is pointed out that for the Calcutta region the proportion of policy lapsing as a result of non-payment is more than 40 per cent. Ex. Q is intended to show the increase in workload in the Life Department from 1948 to 1953. The Company states that the figures given in Ex. P are totally incorrect and that there are apparent discrepancies.

43. Ex. R is a chart showing the new business, average sum assured, business in force and life funds of Indian and non-Indian insurers transacting life business in India. Figures are given with reference to New India, Oriental, Hindusthan, National, Royal, North British, Prudential and Norwich Union Life. Ex. S shows the percentage of increase in new business and life fund in 1952 taking business in 1940 at 100 per cent. The increase in the new business and in the life fund is shown to be the highest in New India when compared with Oriental and other companies. The company admits that these charts do indicate that the progress of New India during the last few years has been much more rapid than that of many top ranking Indian companies. It is stated that the comparison with the British offices in India is incomplete because only the Indian figures are considered and that moreover these are old established offices. The Company also submits that the employees of the New India are already enjoying better terms of remuneration and service conditions and that any further burden on the company would cripple its competitive position and thus in the long run would affect the interest of the employees themselves.

44. Ex. T shows the life business in force, premium income and assets in India of New India and other non-Indian insurers transacting life business. The company states that a comparison of New India with foreign companies is not proper and that the insurance premiums or funds by themselves are not indications of the strength, stability and affluence of an insurance company. It is also pointed out that whereas the New India starts a new employee in B Grade on a salary of Rs. 70 per mensem, the foreign companies do not start their employees in B Grade straight-away with a starting salary of Rs. 110 but they invariably start them in C Grade at Rs. 70 per mensem.

45. Ex. U is a comparative chart of premium income in general insurance in India. The company admits that the figures are correct and they do point out that in the realm of general business the New India is by far the largest insurance company in India. Ex. V is a chart showing increase in the rate of interest and Ex. W is a chart showing the rate of increase in bonus to the policy holders. While the net rate of interest was 2.80 per cent. and gross rate of interest 3.58 per cent. in 1947 they rose to 3.08 per cent. and 3.70 per cent. in 1950. While the bonus of whole life policies was Rs. 8 and on endowment policies Rs. 6 per thousand in 1945 they rose to Rs. 11 and Rs. 9 in 1950. The company however points out that the rate of interest and the bonus rate was much more in the earlier years viz. 1940 to 1945.

46. Charts marked Ex. X to AA will be dealt with when considering dearness allowance and house rent. Exs. BB, CC and DD shows the average total emoluments of a clerk at the beginning of his career in neighbouring mercantile firms, Tata Sales office and some insurance offices operating at Dalhousie Square area. The company points out that A and B grades mentioned therein do not correspond in any way to A and B grades of New India as there is a separate C Grade with scale Rs. 70—4—134 and that the B Grade at Rs. 110—7—180 corresponds to the A grade of New India Rs. 120—10—200—E.B.—15—305. Regarding the scale of Tata Sales Office it is pointed out that Grades, 1, 2 and 3 are not continuous grades and promotion from one grade to another is given only depending upon merit.

47. Ex. EE is a chart showing the number of policies handled by a clerk in New India, Oriental, Hindusthan and Insurance of India in Life Department. It is pointed out by the management that the method of calculation is basically wrong, that the figures for other companies have not been properly calculated and that the New India is making much greater use of machines than all the other three companies. This chart really relates to workload and cannot have much bearing on the scales of pay.

48. Ex. FF is a chart showing the percentage of increases in the number of clerks and officers of the company taking 1949 figures at 100 per cent. The company points out that in an expanding organization it is necessary to have reserve of well trained offices to take charge of new offices to handle the growing number of complex problems.

49. Ex. GG is a chart intended to show the extravagance of New India in comparison with the Hindusthan and Oriental as regards entertainment, travelling and conveyance expenses etc. The company points out that Oriental is more than 80 years old and Hindusthan is 46 years old and the New India has not the advantage of old established agencies and organizations and therefore the New India's field force has to incur greater expenditure on travelling and conveyance. It is also pointed out that whereas the conveyance and motor car allowances are debited to travelling and conveyance accounts such allowances are debited to the Salaries account in the case of Hindusthan and Oriental.

50. Ex. HH is the chart showing the expenses on officers, clerks and sub-staff. The company has already pointed out that the Staff Assistants should not be included in the officers cadre. Ex. JJ is the chart showing the permissible expenses for management and balance in hand within the statutory limits in the life insurance of the New India Assurance Company as per Rule 17-D of the Insurance Act. It is pointed out by the management that the figures of the Calcutta region are totally incorrect and grossly understated to the extent of several lacs each year. It is further pointed out that a substantial number of operations and practically all the important jobs are performed at the head office and if these are taken to account there would not be any balance available. Shri V. H. Vora has in his evidence substantiated this aspect of the matter.

51. Ex. KK is the chart showing the permissible expenses for management and balance in hand within the statutory limits in general insurance of the New India. The company does not agree with the figures in column 5, 6, 7 and 9 or the basis of calculation in this chart showing the position for the Calcutta branch for the business in India. They give revised figures according to proper calculations. It is also pointed out that in the actual expenses incurred head office expenses for the part of the branch work which they handle there like statistics, scrutiny, supervision, treaty cessions and calculations have not been taken into account and that at a very conservative estimate it would be about 5 per cent. of the gross premium of the branch to which must be added depreciation, furniture, motor car, typewriter, etc.

52. Ex. LL is the chart showing the comparative position of renewal expenses ratio in life insurance. The company points out that the foreign companies have been selected with a bias and that the renewal expense ratio in 1952 for Norwich Union was 9 per cent., for Prudential 10 per cent. and for Royal 13·5 per cent.

53. It is seen from the foregoing analysis of the several charts and the comments thereon of the management that while it cannot be denied that the New India has attained an unique position in the insurance field whether it be in the Life Department or in the General Department and therefore the company has got undoubted capacity to pay higher wages which might be made to approximate to a fair wage to the employees, there is much to be said in favour of the remarks made on behalf of the management as regards the competitive position of the company when compared with other Indian insurance companies or other foreign companies.

54. It will also be necessary to take note of the observations made by the Planning Commission in the First Five Year Plan at page 186. The remarks of the Planning Commission are as follows:—

“Any upward movement of wages, at this juncture will further jeopardize the economic stability of the country, if it is reflected in the cost of production and consequently raises the price of the product. For the workers too, such gains will prove illusory because in all likelihood they will soon be cancelled by a rise in the general price level, and in the long run the volume of employment may be adversely affected. Such an increase in wages should, therefore, be avoided, except to remove anomalies or where the existing rates are abnormally low.”

55. Keeping all these considerations in view let me now examine the scale of wages which are now obtaining in the company in conjunction with wages that are obtaining in the same or similar occupations in the neighbourhood. The scales of pay at Calcutta in New India are:

B Grade: Rs. 70—7—126—EB—7—175—E.B.—10—205.

A Grade: Rs. 120—10—200—E.B.—15—305.

Sub-Staff Grade: Rs. 30—2—60.

The Bengal Chamber's B Grade is Rs. 110—7—180 and A Grade is Rs. 160—10—260. But the Bengal Chamber of Commerce has two other grades, viz., C Grade: Rs. 70—4—134 and D Grade Rs. 70—3—130. Though there was in existence C Grade in New India at one time there is none in the C Grade at present at

Calcutta. Hence the New India's B Grade may be taken to be a combination of Bengal Chamber's C Grade and B Grade. But the B Grade of the New India is better in that while increment in the Bengal Chamber's C Grade is Rs. 4 per annum upto Rs. 134, the increment in New India's B Grade is Rs. 7 up to Rs. 126 and thereafter above 175 the increment is Rs. 10 and the scale goes up to Rs. 205. Even the A Grade of the Bengal Chamber of Commerce cannot be said to be better than the A Grade of the New India as increment beyond Rs. 200 is Rs. 15 instead of Rs. 10 and the scale goes up to Rs. 305. The only advantage in the Bengal Chamber's A Grade is that the scale begins at Rs. 160 instead of Rs. 120. The foreign insurance companies mentioned in Ex. BB seem to follow Bengal Chamber's scale both with regard to basic salary as well as dearness allowance. It cannot therefore be said that the scales in the New India are much less favourable than the Bengal Chamber of Commerce if dearness allowance is left out of consideration. But since the Bengal Chamber has fixed a very liberal scale of dearness allowance to its employees the total remuneration which the employee under the Bengal Chamber of Commerce gets is about 50 per cent. more than what the employee in the New India gets. Considering all aspects of the matter I feel that justice will be amply met by fixing a scale to the New India employees at Calcutta which is slightly better than what it is at present. I would therefore fix the scales in the B Grade at Rs. 80—7—136—E.B.—7—185—E.B.—10—225, the graduates commencing at Rs. 94 instead of at Rs. 84 as at present. I would fix the A Grade at Rs. 130—10—210—E.B.—15—330. As regards the Sub-staff the grade will be fixed at Rs. 30—2—60—3—75. I do not fix any higher scale in the earlier stages as the Sub-staff is getting in addition a House rent allowance of Rs. 7 per month.

56. As regards the classification of employees I do not think that Union's demand that 45 per cent. of the clerks should be put in A Grade is reasonable nor is it proper to fetter the discretion of the management by stating that there should be no direct recruitment to the A Grade. Management will be the best judge to fix the percentage of employees to be included in the A Grade. It is in evidence that promotions are generally being made from B Grade to A Grade and that employees in the A Grade have been promoted to the Grade of Staff Assistants. Direct recruitment is being resorted to only when there are no competent hands in the B Grade or when persons having technical qualifications are available from outside and have to be recruited directly. The other demands of the Union as regards fixing of initial salaries to graduates, intermediates, etc. do not deserve any consideration and hence nothing is said about the same.

57. As regards the method of fitting the workmen in the new scales the point to point adjustment demanded by the Union cannot be conceded. The lowest paid employee will be started at Rs. 80 and if he is a graduate on Rs. 94. Persons with service will get an increase at a flat rate of Rs. 10. There will be no increase in the salaries of the sub-staff as there has not been any change in the scale in the earlier stages. Members of the sub-staff who have put in service of more than 15 years will get the next higher increment and draw Rs. 63.

58. Item No. (2): *Appointment to higher grades by promoting workmen in lower grades.*—As regards this matter the Union has stated in paragraph 75 of the statement of claims that the recruitment of clerks in B Grade should be the rule and as far as practicable by promotions from the qualified sub-staff; that the B Grade employees should be promoted to the A Grade and that A Grade clerks who are sectional incharges and who are sufficiently efficient with 5 years experience in the line should be placed in Class II service of the company. The contentions of the management are to be found at pages 16 and 17 of the written statement. It is stated that when A Grade was established in 1946 it was with the sole idea of recognizing either the technical qualifications of the members of the staff or the leadership and other qualities which the employees concerned are expected to display in the discharge of their duties. It is also stated that the proportion of A Grade Assistants to the total number of employees suggested by the Union is unduly high and no hard and fast rules can be laid down for determining the proportion of the employees. As regards direct recruitment it is stated that on account of the highly technical character of insurance business it is sometimes necessary for the company to recruit persons directly in Grade A but that the general policy has been to offer adequate opportunities to the existing staff to qualify for higher grade. Taking into consideration the policy that has been adopted by the company it cannot be said that the company has been acting in any manner detrimental to the interests of its employees. The Board of Directors can be trusted with laying down a proper policy in the matter of promotion. In fact they seemed to have issued on 11th January, 1954 a circular regarding promotion which has been marked as Ex. WW. I do not find anything in it which would have the effect of denying promotions when they are deserved. It is unnecessary to state anything further on this subject.

59. Item No. (3): Dearness Allowance.—Demand regarding Dearness Allowance is made in paragraph 76 at pages 21-22 of the statement of claims. After setting out the present scale of dearness allowance it is stated that the company's fixation of dearness allowance was never scientific and was rather arbitrary and that therefore the workmen should be paid dearness allowance according to the Bengal Chamber of Commerce scheme which is 5 per cent. of the basic pay for every 10 point rise above 180 points taking 1939 as the base and Rs. 3 for each such slab for the sub-staff. Mention is also made of the scales of pay, dearness allowance and other amenities paid by the Tatas to which group the company is said to belong. It is stated that the minimum dearness allowance according to Bengal Chamber of Commerce scheme will be Rs. 66 on the present price index number. The company states that they have taken cognizance of increased cost of living and given dearness allowance to the members of the staff on generous scales; that dearness allowance was introduced as early as 1941 when relief was given to members who were drawing a salary not exceeding Rs. 80; that the scale was revised from time to time and in 1948 the scales were put on the slab system and that these scales which provide at present for a minimum allowance of Rs. 50 and a maximum allowance of Rs. 250 on salary slabs has been adopted by many commercial concerns including insurance companies. The scale now existing is from Rs. 51 to Rs. 100, 38 per cent. of the salary in excess of Rs. 50, Rs. 101 to Rs. 200, 24 per cent. of the salary in excess of Rs. 100, Rs. 201 to Rs. 350, 19 per cent. of the salary in excess of Rs. 200, Rs. 351 to Rs. 500, 16 per cent. of the salary in excess of Rs. 350, Rs. 501 to Rs. 1,000, 11 per cent. of the salary in excess of Rs. 500, salary over Rs. 1,000, 9 per cent. of the salary in excess of Rs. 1,000. It is also pointed out that the dearness allowance adopted by the company is generous compared to the scales of different companies such as Oriental, Hindusthan, National and Empire. It is also stated that the dearness allowance paid to the employees in 1952 was nearly double the allowance paid in 1948 and that the average total emoluments paid to the employees of the company compare favourably with the leading companies of Calcutta as well as those prescribed for A Class Banks employees of Calcutta by the All India Industrial Tribunal (Bank Disputes).

60. It has to be stated at the outset that the demand of the Union as put forward in the statement of claims is different from the demand made in the charter of demands submitted early in 1953. In the charter of demands annexed to Ex. E signed on the 2nd February, 1953, the dearness allowance claimed is as follows:—

First	Rs. 50	..	Rs. 55
„ 51—100	..	..	40%
„ 101—200	..	..	30%
„ 201—350	..	..	19%
„ 351—450	..	..	16%

When these percentages were mentioned it must have been on the basis under which the present scales are being given, that is, 40 per cent., 30 per cent., 19 per cent. and 16 per cent. in regard to amounts in excess of Rs. 50, Rs. 100, Rs. 200 and Rs. 350 respectively. During the conciliation proceedings when the company expressed inability to pay the dearness allowance claimed in the charter of demands, the Union in answer stated that the dearness allowance claimed is far below than what is obtaining in the companies associated with the Bengal Chamber of Commerce. The demand in the charter was much more modest and it is surprising that the Union should have thought it fit to press for a much more extravagant scale of dearness allowance during the enquiry.

61. The company has furnished the scales of dearness allowance that are obtaining in Bombay Mutual, in Oriental, Calcutta Branch and in the New India. These are marked as Exhibits 6 series and 7 series. A comparison of these scales shows that the scales obtaining in New India are much more liberal than those in the other insurance companies. No doubt they do not come up to the level of the scale of dearness allowance in the concerns associated with the Bengal Chamber of Commerce. The scale of dearness allowance allowed by the Labour Appellate Tribunal in the decision against the Sastry award for A Class Banks in area I is as follows:—

Minimum	..	Rs. 50/-
Maximum	1st slab 100 ..	50%
	2nd slab 100 ..	40%
	Thereafter ..	35%

So far as subordinate staff is concerned the dearness allowance at the flat rate of Rs. 42-8-0 was given for employees in A Class Banks in area I. In view of the fact that the scales of pay have been increased in regard to the clerical establishment and in view of the several amenities and benefits which the New India employees have been enjoying, I do not think it would be proper to disturb the present scale of dearness allowance that is being paid by the company. In view however of the increased cost of living since the last fixation of the scales of dearness allowance by the company a slight increase in the scale of dearness allowance so far as employees drawing salary between Rs. 51—200 might be helpful in increasing the total emoluments so as to make the same approximate to the fair wage to which the employees are certainly entitled. While retaining the minimum at Rs. 50 the rate will be increased to 40 per cent. instead of 38 per cent. of the amount in excess of Rs. 50 in the case of those drawing Rs. 51—100 and to 25 per cent. of the amount in excess of Rs. 100 in the case of those drawing from 101—200. There will be no change in the dearness allowance payable to sub-staff.

62. Item No. (4): *House Rent*.—The Union submits that as house rent is not included by them in the expenses while fixing pay or dearness allowance, a separate house rent should be granted at Rs. 15 per mensem up to Rs. 100 salary, Rs. 20 p.m. for salary between Rs. 100—200, Rs. 25 p.m. for salary between Rs. 201—290 and Rs. 30 p.m. for salary between Rs. 291—450. It is also stated that house rent allowance of Rs. 7 to each sub-staff is being given at present excluding those serving in the building section of the company and this discrimination should not exist and that the sub-staff in the building department should also be paid Rs. 7 p.m. as house rent allowance together with all arrears.

63. The company contends that the basic wage of an employee takes into consideration the house accommodation and that the question of providing suitable accommodation is the responsibility of the State. It is also pointed out that the policy of the company is to recruit the staff from the local people and the demand of house rent allowance put forward by the employees of various insurance companies has been rejected by the Tribunals. As regards the sub-staff in the building section the company points out that it is debarred from increasing the rents from the building under the West Bengal Rent Control Act and hence any additional payment the company may be required to pay would further reduce the already meagre yield the company earns in respect of the buildings. So far as the demand for house rent is concerned the additional claim is unreasonable as provision has already been made for housing accommodation in fixing the basic salary. The Union has filed a chart Ex. NN and has also filed a number of rent receipts showing the rents paid by a number of employees; but in view of the circumstances already mentioned I do not think it is necessary to consider the matter further. There are only a few employees in the sub-staff of the building and it is stated that as they have to be paid out of the income from the building the company cannot be asked to pay any house rent allowance to the said employees. There is however no reason why there should be any discrimination between the sub-staff in the building department and those working in other departments. As the number of the sub-staff in the building department is very small a direction that they should also be paid house rent allowance of Rs. 7 per month as in the case of other sub-staff will not add much to the financial burden of the company. The demand for house rent allowance for the clerical establishment is disallowed but the house rent allowance of Rs. 7 per month will continue to be paid to the sub-staff and the sub-staff of building department will also be paid house rent allowance at the same rate.

64. Item No. (5): *Implementation, with retrospective effect, of revised scales of pay, dearness allowance, etc.*.—The Union claims that the revised scales of grades of pay and dearness allowance should be implemented with retrospective effect from 1st January, 1951 and that the amount of arrears thus becoming due should be paid to them. The company contends that any revision made could take effect from the date of the order since long retrospective implementation would tend to create confusion in past accounts. It is no doubt true that the Union was prevailed upon to withdraw from the adjudication on account of the assurance given by the General Manager in his speech dated the 4th January, 1952 but it is seen that some effort was being made by the company to introduce a plan which would have the effect of improving the emoluments of the employees. This plan was rejected by the Union early in 1953 and the new charter of demands were presented. In the circumstances I feel it will be sufficient to give retrospective effect to the scales of salary and dearness allowance from the date of the last charter of demands viz. 2nd February, 1953. All arrears of salary and dearness allowance as per the revised rates calculated from the 2nd February, 1953 will be paid to the employees within a month from the date when this award becomes operative.

65. Item No. (6): Provident Fund.—The demand of the Union as regards Provident Fund is as follows:—

(1) The contribution from the employee and the company to the provident fund should be increased from 8-1/3 per cent. per annum to 10 per cent. per annum; (2) Without prejudice to the existing benefits and rules advantageous to the workmen, employees should be eligible to get the employers full contribution on completion of 5 years service; (3) 50 per cent. of the Trustees should be elected from the representatives of the employees and Board of Trustees should be reconstituted accordingly. The company contends that the percentage contribution made by the company compares favourably with the contributions of other insurance companies more so if the rate of interest allowed on the accumulations is also taken into account. It is also stated that the 15 years prescribed by the rules to become eligible for full contribution is quite reasonable and the remarks of Shri D. G. Kamerkar in the award given by him in the dispute between the Tata Oil Mills Ltd. and its workmen are relied upon. It is also pointed out that the demand of the Union is detrimental to the majority of the members of the staff since the rate of interest earned in the fund will considerably diminish and that as the present Trustees have administered the provident fund wisely and in the best interest of the staff there is no justification for amending the rules.

66. Having heard arguments of both sides on the question of the amount of contribution to the provident fund, I am not satisfied that a case has been made out for increasing the contribution of 8-1/3 per cent. per annum which is now existing. In many establishments the contribution seems to have been only at the rate of 6½ per cent. and in some cases the minimum contribution has been fixed even as low as 5 per cent. It is only in a few isolated cases of Banks and commercial concerns that there is prevailing a contribution of 10 per cent. In the Sastry's award relating to the Banks the contribution is fixed in regard to A and B group Banks at the rate of 8-1/3 per cent. of the monthly pay. It might be that the employees in the Calcutta branch are willing to contribute to the extent of 10 per cent. of pay, but it is not known if the other employees of the company in Bombay and other areas are willing to fall in line with the employees at Calcutta. In view of the increase which I have made as a result of this award in the scales of pay as well as in dearness allowance to some extent, I do not think the company should be called upon to bear a further additional burden by way of contribution of an increased amount. The present contribution of 8-1/3 per cent. will therefore stand.

67. As regards the second demand of the Union that employees should be eligible to get the employer's full contribution on completion of 5 years service there are no doubt observations of the adjudicator Shri D. G. Kamerkar in the dispute between the Tata Oil Mills Ltd. and its workmen which militate against fixing a minimum period of 5 years for enabling the employees to get full contribution of the employer. He was inclined to think that the period of 15 years prescribed in the rules of that company was quite reasonable. It is however seen that in Sastry's award relating to Banks, terms which are a little more advantageous to the employees have been prescribed. It is stated that a subscriber who has put in 10 years of service and over should be paid the full amount of the Bank's contribution with interest, and that those who have served 5 years or more but less than 10 years shall be entitled to the Bank's contribution at the rate of 10 per cent. of such contribution with interest for each completed year of service. This provision has been affirmed by the Special Bench of the Labour Appellate Tribunal which decided the appeal against Sastry award. I do not see any reason why the same privileges should not be made applicable to the case of the employees of the New India Assurance Company and therefore lay down that an employee who has put in 10 years of service and over should be entitled to get the full amount of the Company's contribution with interest, and those who have served 5 years or more but less than 10 years should be entitled to the Company's contribution at the rate of 10 per cent. of such contribution with interest for each completed year of service.

68. As regards the third demand, viz. that 50 per cent. of the Trustees should be elected from the representatives of the employees and the Board of Trustees should be reconstituted accordingly. I should think that the objection raised by the company is not well founded. Provident Fund is intended for the benefit of the employees and there is no reason why the employees should be denied any voice in the matter relating to the administration of the Fund. For very good reasons mentioned in the Sastry's award it was provided that the Funds to be instituted in the Banks should be administered by a Board of Trustees on which the workmen also should have representation to the extent of one-fourth of the total strength of the Board. The contention on behalf of the employees that the

representation should have been atleast one-half of the members was negatived by the Appellate Tribunal on the ground that officers of the Banks are also permitted to become members of the Fund and it seemed *prima facie* fair that the officers should have equal representation with the workmen and the Bank as making contribution equal to those made by the workmen and the officers together should have representation to the same extent as the officers and the workmen combined. The representation of the employees to the extent of one-fourth of the members on the Board appears to be fair and reasonable and the employees should be satisfied with such representation.

69. An objection is however taken that as the present Trustees of the Fund are not before the Tribunal, the Tribunal would not be competent to change the rules of the Fund without their concurrence. There was an application on behalf of the Union to implead the Trustees as parties and it was opposed by the management. The management however assured the Tribunal that any direction given by it would be implemented. It will not be difficult for the management to prevail upon the Trustees to agree to the amendment of the rules regarding eligibility to get full contribution and to have representation on the Board of Trustees. If, however, for any reason there should be any technical difficulty in getting it done there can be nothing to prevent the company from starting a new provident fund relating to the employees of the Calcutta Branch and constituting a separate Board of Trustees to administer the fund giving representation to the employees as directed.

70. Item No. (7): *Gratuity*.—The Union states in paragraph 80 of the statement of claims that the present gratuity scheme of the company is limited to 15 months' basic pay and at the rate of half month's pay for each year of service and the said maximum amount might be availed of only in case where an employee has served for 20 years atleast. The Union demands that this should be amended by increasing the rate to one month's basic pay for each year of service or fraction thereof and without limiting the quantum and without any stipulation about the period of service. The Union also states that on death of an employee while in the service of the company or on voluntary relinquishment of service, or on termination of service by the company for reasons of physical and mental disability or otherwise and on termination of service by the company except on grounds of misconduct, one month's basic wage should be given as gratuity for each year of service. It is also stated that the salary for the purpose of calculating gratuity shall be the average basic salary during the 12 months next previous to relinquishment, death, retirement or termination of service as the case may be. The company contends that in view of the fact that their scales of pay are generous in comparison with those obtaining in most of the leading insurance companies no case can be made out for revising the existing rules. They also state that the present minimum period of continuous service should not be altered since any reduction in this period will put the employees who resign and join another insurance company in a better position than the employees who remain loyal in the company.

71. It is now well recognized that gratuity is a retirement benefit though at one time it was thought that it was something gratuitous. It has been laid down in many awards of Tribunals to be a legitimate claim of the workmen which could give rise to an industrial dispute. The Labour Appellate Tribunal which decided the appeal against the Sastry-award has considered the scheme of gratuity laid down in the Army & Navy Stores case (1951 II LLJ p. 31) as the best known scheme of gratuity. The Labour Appellate Tribunal has given ordinarily one month's pay for each year of service with a ceiling of 15 months or half month's basic pay for each year of service without any ceiling. So in the case of retirement of an employee he should be given one month's gratuity for each year of service with a ceiling of 15 months. As regards other cases I would adopt the scheme of gratuity laid down by the Labour Appellate Tribunal in the Army & Navy Stores case, *viz.*:

- |     |   |   |
|-----|---|---|
| (1) | On the death of an employee while in the service of the company or becoming physically or mentally incapable of further service . | Half month's salary for each year of continuous service to be paid to the disabled employee or if he has died to his heirs or legal representatives or assigns. |
| (2) | On voluntary retirement or resignation of employee after 15 years continuous service  | Half month's salary for each year of continuous service.  |
| (3) | On termination of service by the company  | Half month's salary for each year of completed service.   |

72. I therefore pass an award in the following terms:—

(a) Scales of pay will be:

B Grade: Rs. 80—7—136—E.B.—7—185—E.B.—10—225. The graduates will commence at Rs. 94 instead of at Rs. 84 as at present.

A Grade is fixed at Rs. 130—10—210—E.B.—15—330.

The sub-staff's grade will be fixed at Rs. 30—2—60—3—75.

(b) As regards classification of employees the management will be the best judge to fix the percentage of employees to be included in the A grade. The present practice of promotions being made generally from B grade to A grade and A grade to Sub-Assistant's grade, direct recruitment being resorted to only when there are no competent hands in the B grade or when persons having technical qualifications are available from outside, will continue to be followed.

(c) As regards the method of fitting the workmen in the new scales, point to point adjustment claimed by the Union is rejected. The lowest paid employee will be started at Rs. 80 and if he is a graduate on Rs. 94. Persons in service will get an increase at a flat rate of Rs. 10. Members of the sub-staff who have put in service of more than 15 years will get the next higher increment and draw Rs. 63.

(d) No special directions are given as regards promotion from one grade to another and the company is directed to continue the policy they have been adopting hitherto regarding promotions.

(e) As regards dearness allowance, the minimum dearness allowance will be retained at Rs. 50 but the rate will be increased to 40 per cent. instead of 38 per cent. for the amount in excess of Rs. 50 in the case of those drawing Rs. 51—100 and 25 per cent. instead of 24 per cent. of the amount in excess of Rs. 100 in the case of those drawing from Rs. 101—200. There will be no change in the dearness allowance payable to sub-staff.

(f) The demand for house rent allowance in the clerical establishment is disallowed; but the house rent allowance of Rs. 7 p.m. will continue to be paid to the sub-staff and the sub-staff of the Building Department will also be paid house rent allowance at the same rate.

(g) Retrospective effect to the scales of pay and dearness allowance will be given from the date of the last charter of demands, *viz.* 2nd February, 1953. All arrears of salary and dearness allowance as per the revised rates calculated from the 2nd February, 1953 will be paid to the employees within a month from the date when this award becomes operative.

(h) The present contribution to the provident fund of 8 1/3 per cent. will stand and is not increased. An employee who has put in 10 years of service will be entitled to get the company's full amount of contribution with interest and those who have served 5 years or more but less than 10 years would be entitled to the company's contribution at the rate of 10 per cent. of such contribution with interest for each completed year of service.

(i) The employees would have representation on the Board of Trustees to the extent of 1/4th of the total strength of the Board. The management would prevail upon the Trustees to agree to the amendment of rules in the light of the above directions; but if for any reason there should be any difficulty in getting it done a new provident fund should be started relating to the employees of the Calcutta Branch and embodying the above stated provident fund rules and a separate Board of Trustees should be constituted to administer the fund giving representation to the employees as directed.

(j) As regards gratuity benefit in the case of retirement of an employee he should be given one month's gratuity for each year of service with a ceiling of 15 months.

On the death of an employee while in service of the company or becoming physically or mentally incapable of further service, half month's salary for each year of continuous service to be paid to the disabled employee or if he has died to his heirs or legal representatives or assigns.

On voluntary retirement or resignation of the employee after 15 years' continuous service, half month's salary for each year of continuous service.

On termination of service with the company, half month's salary for each year of completed service.

CALCUTTA;

The 12th August, 1954.

(Sd.) C. BHAKTAVATSALU, Chairman,  
Central Government Industrial Tribunal, Calcutta.

[No. LR.90(164).]

*New Delhi, the 31st August 1954*

**S.R.O. 2920.**—The following Order of the Industrial Tribunal, Delhi, made under rule 23 of the Industrial Disputes (Central) Rules, 1947, correcting certain clerical errors in its award published in the notification of the Government of India in the Ministry of Labour S.R.O. 2577, dated the 28th July 1954, is published.

**BEFORE SHRI RAM KANWAR, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI**

**ADJUDICATION**

In the matter of an Industrial Dispute

**BETWEEN**

The employers in relation to Bharat Fire & General Insurance Ltd., New Delhi and their workmen.

**ORDER**

Letter No. 405, dated the 4th August 1954 from the Bharat Fire Insurance Employees' Union, 4-Pusa Road, New Delhi, to the Ministry of Labour, New Delhi, indicates that the following clerical mistakes have occurred in my award dated the 7th July 1954 published in the *Gazette of India*, New Delhi dated the August 7, 1954.

1. "and" has been omitted between "Sundays or" "any other general holidays" on page 1901, item 3, clause (1);

2. Year ending 31st December 1955 has been entered instead of "1956" on page 1901, para. 5, line 9 of sub-para. beginning with, We on our part.....;

3. Mr. J. L. Jain has been wrongly written instead of Mr. J. K. Jain on page 1902 in line 11 of para. 6.

As these mistakes apparently arose from accidental slips I hereby make the necessary corrections in my award and send a copy of this order to the Labour Ministry for corrections of the above mistakes in my award by necessary notification.

RAM KANWAR,  
Industrial Tribunal, Delhi.

[No. LR.90(154).]

**ORDERS**

*New Delhi, the 31st August 1954*

**S.R.O. 2921.**—In exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby directs that the following amendments shall be made in the Order of the Government of India in the Ministry of Labour, No. S.R.O. 2452 dated the 23rd July 1954, namely:—

In Schedule I to the said Order, the following entries shall be inserted at the end:—

"20. Messrs. Dharsey Mulji, House No. 28/30, Jivanji Maharaj Lane, Buleshwar, 3rd Bhofwada, Bombay-2.

"21. Messrs. Ebrahim Moosa Tadpatriwala, C/o Union Lighterage, Opposite Princess Docks Main Gate, Frere Road, Bombay-9".

[No. LR.3(44)/54.]

**S.R.O. 2922.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the United Industrial Bank Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7 of the said Act.

#### SCHEDULE

Whether the termination of service of Shri Basanta Kumar Karmakar was justified and the relief, if any, that should be given to him.

[No. LR-100(21)/54.]

P. S. EASWARAN, Under Secy.

*New Delhi, the 31st August 1954*

**S.R.O. 2923.**—In pursuance of section 8 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 381, dated the 19th January, 1954, namely:—

In the said notification for item (3), the following item shall be substituted, namely:—

"(3) Shri K. S. Krishnaswami, Joint Secretary to the Government of India, Ministry of Finance (Rehabilitation and Food Division)."

[No. SS.121(75).]

**S.R.O. 2924.**—In pursuance of section 4 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2155, dated the 16th November, 1953, namely:—

In the said notification, for item No. 5, the following item shall be substituted, namely:—

"5. Shri K. S. Krishnaswami, Joint Secretary to the Government of India, Ministry of Finance (Rehabilitation and Food Division)."

[No. SS.121(80).]

**S.R.O. 2925.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby appoints the 1st September, 1954 as the date on which the provisions of Chapters I, II, III, VII and VIII and sections 44 and 45 of Chapter IV of the said Act shall come into force in the following areas, namely:—

- (i) The Scheduled Areas in the States of Andhra, Bihar, Bombay, Madhya Pradesh, Madras, Orissa and Punjab; and
- (ii) Tribal Areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule of the Constitution.

[No. SS.121(13) A.]

K. N. NAMBIAR, Under Secy.

